
**MINUTES OF THE REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY, JANUARY 17, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday January 17, 2017, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, David Jones and Jay Shelton. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen from Public Works and Michael Griffin, Clerk-Treasurer and Mark Herak of the Town Council.

1. Michael Griffin gave the oath of office to Greg Cieslak and Richard Garcia.
2. Upon review of the letters received by Robert Tweedle and Derek Snyder of Nies Engineering they will continue to review the day to day functions of the Highland Sanitary Board.
3. Michael Griffin reviewed the financial statement of the Sanitary Board.

The study session ended at 7 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, January 17, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, David Jones and Jay Shelton. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works, Michael Griffin, Clerk-Treasurer, Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: December 20, 2016 of the Regular Public Meeting are posted as written.

Special Orders:

Election of Officers

President – Jay Shelton
Vice President – Richard Garcia
Secretary – David Jones

Appointments

Sanitary District Superintendent - John Bach
Sanitary District Recording Secretary - Laura Pramuk
Sanitary District Attorney - Robert Tweedle

Sanitary District Engineer - Derek Snyder

A motion was made by David Jones to accept the Officers and Appointments. Richard Garcia seconded the motion. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

Communications:

1. A letter dated December 12, 2016 from Derek Snyder of NIES Engineering, Inc. regarding to a proposal to provide engineering services to the Highland Board of Sanitary Commissioners.
2. A letter dated January 6, 2017 from Charles Thompson of NIES Engineering, Inc regarding from the release of retainage to deBoer Egolf Corps in the amount of \$3,000.

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-01*

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN NIES ENGINEERING, INCORPORATED AND THE SANITARY DISTRICT OF HIGHLAND TO PERFORM PROFESSIONAL ENGINEERING SERVICES AS DISTRICT SEWAGE WORKS ENGINEER FOR THE YEAR 2017

Commissioner Burton motioned to approve Resolution 2017-01. Commissioner Garcia seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

**SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-01**

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN NIES ENGINEERING, INCORPORATED AND THE SANITARY DISTRICT OF HIGHLAND TO PERFORM PROFESSIONAL ENGINEERING SERVICES AS DISTRICT SEWAGE WORKS ENGINEER FOR THE YEAR 2017

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, has heretofore determined a need to engage the professional engineering services in order carry out the mission of the District; and

Whereas, NIES Engineering, Incorporated, (Consultant) has offered and presented an Agreement to provide and furnish Professional Engineering Services in consideration for fees to be charged and billed monthly; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Professional Engineering Agreement (incorporated by reference and made a part of this resolution) between NIES Engineering, Incorporated, and the Sanitary District of Highland for District Sewage Works Engineer is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for professional engineering services are found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 17th day of January 2017. Having been passed by a vote of 5 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Jay Shelton, President

Attest:

David Jones, Secretary

2. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-02

A RESOLUTION ESTABLISHING the 2017 WAGE AND SALARY RATES of the SANITARY DISTRICT of HIGHLAND, LAKE COUNTY, INDIANA

Commissioner Jones motioned to approve Resolution 2017-02. Commissioner Garcia seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-02

A RESOLUTION ESTABLISHING the 2017 WAGE AND SALARY RATES of the SANITARY DISTRICT of HIGHLAND, LAKE COUNTY, INDIANA

BE IT HEREBY RESOLVED BY the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana as follows:

Section 1. That the compensation and other provisions set forth in the wage and salary and the compensation and benefits ordinances as passed by the Town Council are hereby adopted and ratified for the officers of the Sanitary District and those employees of the municipality performing duties for the utility under its control.

Section 2. That wages and salaries of the employees and consulting professionals of the Sanitary District of Highland are hereby established to be effective **January 1, 2017**, at 12:01 A.M. as set forth below:

Attorney (retainer)	\$440.00 per month
District Consulting Engineer(s) (retainer)	\$310.00 per month

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Sanitary District Superintendent	\$561.62 bi-weekly (portion payable from SD – Admin/Sewer 40-14)
Public Works Director	\$561.62 bi-weekly (portion payable from SD – Admin/Sewer 40-14) \$587.61 bi-weekly (w/longevity) (portion payable from SD – Solid Waste 40-15) \$587.61 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-70)
Assistant Public Works Director	\$713.93 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-70) \$713.93 bi-weekly (w/longevity) (portion payable from SD – Solid Waste 40-15)
Operations Director	\$735.53 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-70) \$735.53 bi-weekly (w/longevity) (portion payable from SD – Solid Waste 40-15)
Utilities Supervisor	\$1,183.21 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-070)
Facilities Supervisor	\$1,182.41 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-040)
Street Supervisor	\$393.07 bi-weekly (w/longevity) (portion payable from SD – Solid Waste 40-15) \$393.07 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-70)
Fleet Supervisor	\$590.01 bi-weekly (w/longevity) (portion payable from SD – Solid Waste 40-15) \$590.01 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-070)
Recording Secretary	\$75.00 per meeting
Sanitary District Program Coordinator	\$16.33/hr.
Inspector	\$13.41/hr.
Part-Time Secretary	\$7.25-12.50/hr.
Utility Services Field Representative	\$10.25/hr (start) \$11.35/hr (after one year)
CDL Driver (Part-time)	\$14.35/hr
Part-Time help (Laborer)	\$ 9.00 - \$ 11.14 hr.
Temporary	\$ 7.25 - \$ 7.75 hr.

Section 3. That pursuant to IC 36-9-25 sections 32 and 34, the Board notes that revenues derived from the collection of fees for waste water treatment and storm water management may be used according to the purposes of its (special district) operating fund, including but not limited to paying general expenses of the board including salaries of its officers and authorizes and directs that the salaries set forth in this resolution may be paid from the special taxing district (general expense) operating or the wastewater/stormwater works operating funds as the board may hereinafter direct;

Section 4. That the Clerk-Treasurer as Fiscal Officer of the Municipality shall not receive additional compensation for duties attached to and performed for the Sanitary District and sewage works pursuant to I.C. 36-9-25-9(a);

(a) That the Sanitary District authorizes and approves that a share of the Clerk-Treasurer's compensation may be derived from the Special Sanitary District Operating Fund, subject to the laws governing same, including but not limited to P.L. 93-15, codified as IC 36-5-3-2;

(b) That the amount of such share of pay is approved up to and shall not exceed the amount identified and set apart in the properly identified appropriation of the Sanitary District Operating Fund.

Section 5. That the Board of Sanitary Commissioners authorizes and approves that a share of the compensation of the employees in the Office of the Clerk-Treasurer as well as a share of the compensation of the Clerk-Treasurer may be paid from the proper utility fund of the Wastewater/Stormwater Works, for services connected with the operation of the utility, subject to the laws governing same;

(a) That such pay shall be a part of and not in addition to the compensation as fixed by the Town Council in its most recently adopted and effective salary ordinance; and,

(b) That the compensation and other provisions set forth in the wage and salary as well as the compensation and benefits ordinances as passed by the Town Council are hereby adopted and ratified and their provisions extended to and operative upon the officers and employees of the Sanitary District.

Section 6. That the Board of Sanitary Commissioners authorizes and approves that a share of the compensation of the employees in the Public Works Department may be paid from the proper utility fund of the Wastewater / Stormwater Works, for services connected with the operation of the utility, subject to the laws governing same;

(a) That such pay shall be a part of and not in addition to the compensation as fixed by the Town Council in its most recently adopted salary ordinance; and,

(b) That the compensation and other provisions set forth in the wage and salary and the compensation and benefits ordinances as passed by the Town Council is adopted and ratified and their provisions extended to and operative upon the officers and employees of the Sanitary District.

Section 7. That all enactments of the Board of Sanitary Commissioners in conflict with the terms of this enactment are hereby repealed and of no further force nor effect;

Section 8. That the terms of this resolution shall become and remain effective from and upon its passage and adoption.

ADOPTED and approved this 17th Day of January, 2017, by the Board of Commissioners of the Town of Highland Sanitary District, Lake County, Indiana. Having been passed by a vote of 5 in favor and 0 opposed.

THE SANITARY DISTRICT of HIGHLAND
By Its Board of Commissioners:

/s/Jay Shelton, President

Attest:

/s/David Jones, Secretary of the Board of Sanitary Commissioners

3. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-03

A RESOLUTION ACCEPTING THE RECOMMENDATION OF NIES ENGINEERING, INCORPORATED AND AUTHORIZE THE RELEASE OF RETAINAGE TO DEBOER EGOLF CORPORATION FOR THE 2014 SANITARY SEWER & WATER MAIN IMPROVEMENTS - CONTRACT 1, 81ST STREET SANITARY SEWER REPLACEMENT & WATER MAIN RELOCATION & GRAND BOULEVARD SANITARY SEWER REPLACEMENT

Commissioner Garcia motioned to approve Resolution 2017-03. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-03

A RESOLUTION ACCEPTING THE RECOMMENDATION OF NIES ENGINEERING, INCORPORATED AND AUTHORIZE THE RELEASE OF RETAINAGE TO deBOER EGOLF CORPORATION FOR THE 2014 SANITARY SEWER & WATER MAIN IMPROVEMENTS – CONTRACT 1, 81ST STREET SANITARY SEWER REPLACEMENT & WATER MAIN RELOCATION & GRAND BOULEVARD SANITARY SEWER REPLACEMENT

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has heretofore determined a need to replace the sanitary sewer line in the 2600-2700 blocks of Grand Boulevard and in the 2600-2700 blocks of 81st Street, and has implemented the 2014 Sanitary Sewer & Water Main Improvements – Contract 1, 81st Street Sanitary Sewer Replacement & Water Main Relocation & Grand Boulevard Sanitary Sewer Replacement (Project), and

Whereas, NIES Engineering, Incorporated (NIES) has prepared plans and specifications for the Project on behalf of the Sanitary District and the Project was bid in accordance with IC 36-1-12 et seq. and notice was published in accordance with IC 5-3-1; and

Whereas, The District has heretofore awarded a contract to deBoer Egolf Corporation for the Project on April 29, 2014 in the amount of Six Hundred Eighty-seven Three Hundred One and 00/100 (\$687,301.00); and

Whereas, The District has heretofore approved Change Order No. 1 to the construction contract on October 21, 2014 that increased the original contract amount by Seven Thousand Five Hundred Five Dollars and 00/100 cents (\$7,505.00) bringing the total value of the agreement to Six Hundred Ninety-four Thousand Eight Hundred Six Dollars and 007/100 Cents (\$694,806.00); and

Whereas, The District has heretofore approved Change Order No. 2 to the construction contract on May 19, 2015 that increased the original contract amount by Thirty-four Thousand Six Hundred Forty-eight dollars and 40/100 cents (\$34,648.40) bringing the total value of the agreement to Seven Hundred Twenty-nine Thousand Four Hundred Fifty-four Dollars and 40/100 Cents (\$729,454.40);

Whereas, The District has heretofore approved Change Order No. 3 to the construction contract on August 18, 2015 that decreased the original contract amount by Forty-four Thousand Eight Hundred Twenty Dollars and 31/100 Cents (\$44,820.31) bringing the total value of the agreement to Six Hundred Eighty-four Thousand Six Hundred Thirty-four Dollars and 09/100 Cents (\$684,634.09);; and

Whereas, NIES has heretofore determined that the Project is complete pursuant to the terms of contract specifications and has recommended the release the balance of retainage held in the amount of Three Thousand Dollars and no Cents (\$3,000.00); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires accept the recommendation of NIES and authorize and approve the release of retainage held in the amount of the Three Thousand Dollars and no Cents (\$3,000.00).

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That construction work performed by deBoer Egolf Corporation for the 2014 Sanitary Sewer & Water Main Improvements – Contract 1, 81st Street Sanitary Sewer Replacement & Water Main Relocation & Grand Boulevard Sanitary Sewer Replacement Project is hereby accepted and approved in each and every respect; and

Section 2. That the recommendation from NIES to release retainage held in the amount Three Thousand Dollars and no Cents (\$3,000.00) is hereby accepted; *and*

Section 3. That the Office of the Clerk Treasurer is authorized and instructed to release retainage held in the amount of Three Thousand Dollars and no Cents (\$3,000.00) to deBoer Egolf Corporation.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 17th day of January, 2017. Having been passed by a vote of 5 in favor and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Jay Shelton, President

Attest:

/s/David Jones, Secretary

New Business: None

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$44,844.21
Fund 07	Sewage Operating	\$255,695.86
<u>Fund 072</u>	<u>Sewage Improvement Fund</u>	<u>\$13,339.50</u>
	TOTAL	\$313,879.57

Commissioner Jones made a motion to approve payment of the claims in the amount of \$313,879.57. Commissioner Garcia seconded. Upon a roll-call vote, there were five (5) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Regular Public Meeting Session will be held Tuesday, February 21, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Cieslak moved to adjourn. Commissioner Garcia seconded. The motion passed. Meeting adjourned at 7:06 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately after the Public Meeting on Tuesday, January 17, 2017, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, David Jones and Jay Shelton. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, Rhett Tauber, Attorney, John Bach and Bob Johnsen of Public Works, Michael

Griffin, Clerk-Treasurer and Mark Herak, Town Council.

1. Robert Tweedle advised the Board there is a conference call on January 18, 2017 with the EPA and DOJ.
2. Robert Tweedle reported the 19 million bond issue authority must go back to Town Council for approval.
3. The Laverne property is for sale by a realtor.
4. Rhett Tauber Town Attorney reviewed the letter of intent with the Hammond Sanitary District. The Board gave Rhett approval to move forward.

Next Meeting: The next meeting will be a Study Session to be held on Tuesday, February 7, 2017 at 6:30 p.m. The next regularly scheduled Regular Public Meeting Session will be held Tuesday, February 21, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

A motion to adjourn the study session was made by Commissioner Burton, Commissioner Garcia seconded. The meeting was adjourned at 8:06 p.m.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

MINUTES OF A SPECIAL PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY, FEBRUARY 7, 2017

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Special Public Meeting at 6:30 p.m. on Tuesday February 7, 2017, in the council chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the special meeting.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works and Mark Herak, Town Council.

1. A Letter of Intent between Town of Highland and the Hammond Sanitary Board was discussed by Robert Tweedle. Rhett Tauber was not present.
2. No further discussion took place regarding the rate study due to Michael Griffin, Clerk/Treasurer's absence.
3. Sump Pump Separation charges was reviewed by Robert Tweedle. John Bach reviewed additional fees to those residents who choose not to separate.
4. Bob Johnsen will have a list of additional sewer maintenance projects at the next meeting.
5. John Bach advised about the 2628 45th Street tenant and his neighbor. The landlord has agreed not to renew this tenant's lease. In addition, the property may go up for sale.

The study session ended at 7 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, February 7, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Special Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works and Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: None

Special Orders: None

Communications:

1. Letter from NIES regarding the Lincoln Street Pump Station.
2. Proposal from HydroAire Services

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-04

A RESOLUTION APPROVING A BINDING LETTER OF INTENT BETWEEN THE TOWN OF HIGHLAND, INDIANA AND THE HAMMOND SANITARY DISTRICT.

Commissioner Cieslak motioned to approve Resolution 2017-04. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT of HIGHLAND
BOARD of SANITARY COMMISSIONERS
RESOLUTION NO. 2017-04

A RESOLUTION APPROVING A BINDING LETTER OF INTENT BETWEEN THE TOWN OF HIGHLAND, INDIANA AND THE HAMMOND SANITARY DISTRICT

WHEREAS, The Sanitary District of Highland, Indiana is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq; and

WHEREAS, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

WHEREAS, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

WHEREAS, On June 13, 1994, Town of Highland (Highland) and the Hammond Sanitary District (HSD) entered into a sewage collection and treatment (Treatment Agreement) giving Highland the right to transmit wastewater to HSD for treatment; and

WHEREAS, On December 9, 2015, Highland filed a complaint in arbitration, seeking relief against HSD to resolve disputes arising under the Treatment Agreement. HSD responded and alleged counterclaims against Highland. The Arbitration Case is stayed by mutual agreement of the parties and by Order of the arbitration panel; and

WHEREAS, Highland is subject to a Compliance Order issued by the United States Environmental Protection Agency (EPA) to make improvements to Highland's sewage collection and transmission system necessary to prevent sanitary sewer overflows (SSO's); and

WHEREAS, Highland retained Commonwealth Engineers, Incorporated to prepare a Storm Water Management Model Collection System Hydraulic Modeling Report to identify alternatives to prevent SSO's; and

WHEREAS, the Board of Sanitary Commissioners has determined the best alternative to prevent SSO's involves participating in a component of HSD's Long Term Control Plan (LTCP), whereby Highland will send increased flows to HSD, in excess of the current limit allowed under the Treatment Agreement; and

WHEREAS, in order to resolve pending disputes with HSD arising under the Treatment Agreement and to participate in HSD's LTCP, Highland and HSD negotiated the terms of a proposed Binding Letter of Intent which is attached hereto and made a part of this resolution; and

WHEREAS, The Board of Sanitary Commissioners has determined it to be necessary and advisable to proceed under the terms of the Binding Letter of Intent.

NOW, THEREFORE, BE IT RESOLVED by the Board of Sanitary Commissioners of the Sanitary District of the Town of Highland, Indiana, as follows:

Section 1. That the proposed Binding Letter of Intent is hereby approved.

Section 2. That the Secretary of the Board of Sanitary Commissioners is hereby directed to forward a copy of this resolution and the attached Binding Letter of Intent to the clerk-treasurer as clerk of the legislative body, with a request that the Town Council of the Town of Highland take up the matter for consideration and action at its earliest opportunity.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 7th day of February 2017. Having been passed by a vote of 4 in favor and 0 opposed.

SANITARY DISTRICT of HIGHLAND
By Its BOARD of COMMISSIONERS:

/s/Richard J. Garcia, President, *Pro Tempore*

Attest:

/s/David Jones, Secretary

2. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-05

A RESOLUTION ESTABLISHING THE 2017 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID FROM ITS SEWAGE WORKS IMPROVEMENT FUND

Commissioner Jones motioned to approve the Resolution 2017-05. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
CAPITAL BUDGET RESOLUTION NO. 2017-05

A RESOLUTION ESTABLISHING THE 2017 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID FROM ITS SEWAGE WORKS IMPROVEMENT FUND

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Board of Sanitary Commissioners in performing its duties, now determines that passage and adoption of a Capital Budget Resolution establishing a Capital Budget to be paid from funds of the Sanitary District to be necessary for the sound management and control of the sewage works and performing its duty to construct, reconstruct, operate, repair, and maintain all sewage works.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That for the Capital expenses as hereinafter identified of said District, the following allowances for the identified sums of money are hereby fixed and ordered set apart for the purposes herein specified to be paid from Sanitary District Sewage Works Improvement Fund:

Redzone YES Program	\$107,924.84
Lincoln Street Lift Station – VFD Project	\$30,290.00
<u>Johnston Street Reconstruction Project (CN)</u>	<u>\$53,500.00</u>
Total Allowances as fixed for this Fund	\$191,714.84

Section 2. That the Municipal Fiscal Officer is instructed and authorized to assign such accounts and establish such financial reporting methodology as to permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 3. That the Superintendent of the Sanitary District is instructed and authorized to prepare accounts payable for projects identified herein in such a manner as to support and permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 4. That there shall be no capital expenditure for the identified projects in excess of the amounts fixed by this resolution without express action by the Board of Sanitary Commissioners, revising the amount fixed and authorizing the additional allowance amount;

Section 5. That any prior Capital Budget duly adopted by resolution and as amended from time to time is hereby repealed and replaced to include the Capital expenses identified herein.

Section 6. That this Resolution shall be effective immediately upon its passage and adoption by the Board of Sanitary Commissioners and may be amended or repealed by subsequent resolution duly passed and adopted.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 7th day of February 2017. Having been passed by a vote of 4 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard J. Garcia, President *Pro Tempore*

Attest:

/s/David Jones, Secretary of the Board of Sanitary Commissioners

3. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-06

A RESOLUTION EXERCISING A ONE YEAR SERVICE EXTENSION OPTION TO THE CONTRACT BETWEEN REPUBLIC SERVICES OF INDIANA LP AND THE SANITARY DISTRICT OF HIGHLAND FOR THE COLLECTION AND DISPOSAL OF REFUSE AND RECYCLABLES FOR THE PERIOD APRIL 1, 2017 THROUGH MARCH 31, 2018 AND DIRECTING THE PUBLIC WORKS DIRECTOR GIVE FORMAL NOTICE THEREOF

Commissioner Cieslak motioned to approve Resolution 2017-06. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

TOWN OF HIGHLAND
SANITARY BOARD OF COMMISSIONERS
RESOLUTION NO. 2017-06

A RESOLUTION EXERCISING A ONE YEAR SERVICE EXTENSION OPTION TO THE CONTRACT BETWEEN REPUBLIC SERVICES OF INDIANA LP AND THE SANITARY DISTRICT OF HIGHLAND FOR THE COLLECTION AND DISPOSAL OF REFUSE AND RECYCLABLES FOR THE PERIOD APRIL 1, 2017 THROUGH MARCH 31, 2018 AND DIRECTING THE PUBLIC WORKS DIRECTOR GIVE FORMAL NOTICE THEREOF

Whereas, The Sanitary District of Highland had prepared specifications, pursuant to IC 36-9-30-5, for the purpose of contracting for services for the Collection and Disposal of Refuse and Recyclables and the work was bid in accordance with Section 3.05.060(H) of the HMC; and

Whereas, On February 19, 2013, the Sanitary Board of Commissioners adopted Resolution No. 2013-10 and accepted the bid of Republic Services of Indiana LP as the lowest responsive and responsible bid, and

Whereas, The Contract for the Collection and Disposal of Refuse and Recyclables was for four (4) years for the term April 1, 2013 through March 31, 2017 and included a provision, allowing for two (1) one year extensions to the Contract at the sole discretion of the Town of Highland; and

Whereas, The Sanitary Board of Commissioners now wish to exercise its option to extend the Contract for the Collection and Disposal of Refuse and Recyclables for one (1) year for the term April 1, 2017 through March 31, 2018.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Sanitary Board of Commissioners hereby exercises its option to extend the Contract with Republic Services of Indiana LP, for the Collection and Disposal of Refuse and Recyclables, one year, for the period April 1, 2017 through March 31, 2018, at the terms and fees as expressed in the Original Agreement.;

Section 2. That the Public Works Director, acting in the capacity of Sanitary District Superintendent, is hereby instructed to formally notify Republic Services of Indiana LP of the Sanitary Districts decision to extend the Contract as discussed herein.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 7th day of February, 2017. Having been passed by a vote of 4 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard J. Garcia, President *Pro Tempore*

Attest:

/s/David Jones, Secretary of the Board of Sanitary Commissioners

4. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-07

A RESOLUTION REJECTING THE QUOTE OF EMCOR HYRE ELECTRIC COMPANY OF INDIANA, INCORPORATED AS NON-RESPONSIVE AND ACCEPTING THE QUOTE OF SWENEY ELECTRIC COMPANY, INCORPORATED FOR PUMP CONTROL IMPROVEMENTS AT THE LINCOLN STREET LIFT STATION IN THE AMOUNT OF \$30,290 AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Commissioner Jones motioned to approve Resolution 2017-07 Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

5. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-08

A RESOLUTION ACCEPTING AND APPROVING A PROPOSAL FROM HYDROAIRE SERVICE TO PERFORM PREVENTIVE MAINTENANCE SERVICE AND PUMP REPAIRS AT THE NORTH DRIVE STORM WATER PUMPING STATION IN THE AMOUNT OF \$21,605

Commissioner Jones motioned to approve Resolution 2017-08. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-08

A RESOLUTION ACCEPTING AND APPROVING A PROPOSAL FROM HYDROAIRE SERVICE TO PERFORM PREVENTIVE MAINTENANCE SERVICE AND PUMP REPAIRS AT THE NORTH DRIVE STORM WATER PUMPING STATION IN THE AMOUNT OF \$21,605

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq. and IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, and on the advice of its technical staff, has heretofore determined a need to make certain pump repairs at the Grace Street Storm Water Pumping Station (Pump Station); and

Whereas, the Public Works Director, pursuant to §3.05.050(7) of the HMC, serves as the Purchasing Agent for the District; and

Whereas, HydroAire Service has been engaged in the past to perform annual routine preventive maintenance of the pumps located at the Pump Station and, following its 2016 inspection, reported that the impellers on pump #1 and pump #2 had shown signs of pitting and corrosion and recommended their replacement; and

Whereas, the Purchasing Agent expected that the cost to said improvements would be less than \$50,000 and procured a quote from HydroAire Services in the amount of \$21,605 for preventive maintenance and to replace the impellers on pump #1 and pump #2, all pursuant to §3.05.060(G)(2) of the Highland Municipal Code; and

Whereas, the Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Public Sanitation Department; and

Whereas, the purchase price exceeds \$15,000.00 and, pursuant to §3.05.040(C) of the HMC requires the express approval of the purchasing agencies; and

Whereas, the Public Works Director and Facilities Supervisor have reviewed the proposal from HydroAire Services and hereby recommends to the Board of Sanitary Commissioners to accept the proposal.

Whereas, there are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept the quote and award the Project to Sweney Electric Company; Incorporated.

Now, Therefore Be it Hereby Resolved, by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana;

Section 1. That the Proposal from HydroAire Services, attached hereto and made part of this Resolution, in the amount of Twenty-one Thousand Six Hundred Five Dollars and no Cents (\$21,605) for preventive maintenance and to replace the impellers on pump #1 and pump #2 is hereby accepted and approved;

Section 2. That the Public Works Director is hereby authorized to issue a purchase order to HydroAire Services and to execute all documents necessary to implement the purchase thereof.

Duly Adopted and Resolved by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 7th day of February, 2017. Having been passed by a vote of 4 in favor and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/ Richard J. Garcia, President Pro Tempore

Attest:

/s/David Jones, Secretary

New Business:

1. Commissioner Burton recommended the Sanitary Board to accept the offer of \$22,500 for the lot on Laverne Drive. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims: None

Next Meeting: The next regularly scheduled Public Meeting Session will be held on Tuesday, February 21, 2017 7:00 p.m. following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Jones moved to adjourn. Commissioner Burton seconded. The motion passed. Meeting adjourned at 7:27 p.m.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY, FEBRUARY 21, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday February 21, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen from Public Works and Michael Griffin, Clerk-Treasurer and Mark Herak of the Town Council.

1. Jay Shelton current President of the Sanitary Board gave his resignation effective March 1, 2017.
2. Michael Griffin reviewed the financial statement of the Sanitary Board. There was further discussion on bond capacity and existing debt.

The study session ended at 7 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, February 21, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works, Michael Griffin, Clerk-Treasurer, and Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: January 17, 2017 of the Regular Public Meeting and the February 7, 2017 Special Meeting are posted as written.

Special Orders: None

Communications:

1. A letter dated February 17, 2017 from Derek Snyder of NIES Engineering, Inc. regarding the 41st Street Lift Station Force Main Replacement – Design Engineering Services Engineering Fee Addendum Request.

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-08

A resolution amending the 2016 capital project budget of the Sanitary District to be paid from its sewage works improvement fund.

Commissioner Cieslak motioned to approve Resolution 2017-08. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-08

A RESOLUTION ACCEPTING AND APPROVING A PROPOSAL FROM HYDROAIRE SERVICE TO PERFORM PREVENTIVE MAINTENANCE SERVICE AND PUMP REPAIRS AT THE NORTH DRIVE STORM WATER PUMPING STATION IN THE AMOUNT OF \$21,605

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq. and IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, and on the advice of its technical staff, has heretofore determined a need to make certain pump repairs at the Grace Street Storm Water Pumping Station (Pump Station); and

Whereas, the Public Works Director, pursuant to §3.05.050(7) of the HMC, serves as the Purchasing Agent for the District; and

Whereas, HydroAire Service has been engaged in the past to perform annual routine preventive maintenance of the pumps located at the Pump Station and, following its 2016 inspection, reported that the impellers on pump #1 and pump #2 had shown signs of pitting and corrosion and recommended their replacement; and

Whereas, the Purchasing Agent expected that the cost to said improvements would be less than \$50,000 and procured a quote from HydroAire Services in the amount of \$21,605 for preventive maintenance and to replace the impellers on pump #1 and pump #2, all pursuant to §3.05.060(G)(2) of the Highland Municipal Code; and

Whereas, the Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Public Sanitation Department; and

Whereas, the purchase price exceeds \$15,000.00 and, pursuant to §3.05.040(C) of the HMC requires the express approval of the purchasing agencies; and

Whereas, the Public Works Director and Facilities Supervisor have reviewed the proposal from HydroAire Services and hereby recommends to the Board of Sanitary Commissioners to accept the proposal.

Whereas, there are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept the quote and award the Project to Sweney Electric Company; Incorporated.

Now, Therefore Be it Hereby Resolved, by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana;

Section 1. That the Proposal from HydroAire Services, attached hereto and made part of this Resolution, in the amount of Twenty-one Thousand Six Hundred Five Dollars and no Cents (\$21,605) for preventive maintenance and to replace the impellers on pump #1 and pump #2 is hereby accepted and approved;

Section 2. That the Public Works Director is hereby authorized to issue a purchase order to HydroAire Services and to execute all documents necessary to implement the purchase thereof.

Duly Adopted and Resolved by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 7th day of February, 2017. Having been passed by a vote of 4 in favor and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia,, President *Pro Tempore*

Attest:

/s/David Jones, Secretary

3. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-09

A Resolution Amending the 2016 Capital Project Budget of the Sanitary District to be Paid from its Sewage Works Improvement Fund

Commissioner Jones motioned to approve Resolution 2017-09. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
CAPITAL BUDGET RESOLUTION NO. 2017-09

A RESOLUTION AMENDING THE 2016 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID FROM ITS SEWAGE WORKS IMPROVEMENT FUND

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Board of Sanitary Commissioners in performing its duties, now determines that passage and adoption of a Capital Budget Resolution amending a Capital Budget to be paid from funds of the Sanitary District to be necessary for the

sound management and control of the sewage works and performing its duty to construct, reconstruct, operate, repair, and maintain all sewage works.

Now, **Therefore Be it Resolved** by the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That for the Capital expenses as hereinafter identified of said District, the following allowances for the identified sums of money are hereby fixed and ordered set apart for the purposes herein specified to be paid from Sanitary District Sewage Works Improvement Fund:

Truck Purchase – Lease payment (1 of 5)	\$32,218.70
<u>Tree Inventory and Management Plan</u>	<u>\$18,000.00</u>
Total Allowances as fixed for this Fund	\$50,218.70

Section 2. That the Municipal Fiscal Officer is instructed and authorized to assign such accounts and establish such financial reporting methodology as to permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 3. That the Superintendent of the Sanitary District is instructed and authorized to prepare accounts payable for projects identified herein in such a manner as to support and permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 4. That there shall be no capital expenditure for the identified projects in excess of the amounts fixed by this resolution without express action by the Board of Sanitary Commissioners, revising the amount fixed and authorizing the additional allowance amount;

Section 5. That any prior Capital Budget duly adopted by resolution and as amended from time to time is hereby repealed and replaced to include the Capital expenses identified herein.

Section 6. That this Resolution shall be effective immediately upon its passage and adoption by the Board of Sanitary Commissioners and may be amended or repealed by subsequent resolution duly passed and adopted.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 21st day of February, 2017. Having been passed by a vote of 4 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard J. Garcia, President *Pro Tempore*

Attest:

/s/David Jones, Secretary of the Board of Sanitary Commissioners

4. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-10

A Resolution Accepting and Approving an Addendum to the Agreement between NIES Engineering, Incorporated and the Sanitary District of Highland to perform Professional Design Engineering Services associated with the 41st Street Sanitary Sewer Lift Station Force Main Replacement Project in the amount not to exceed \$25,500.

Commissioner Burton motioned to approve Resolution 2017-09. Commissioner Jones seconded. Upon

a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-10

A Resolution Accepting and Approving an Addendum to the Agreement between NIES Engineering, Incorporated and the Sanitary District of Highland to perform Professional Design Engineering Services associated with the 41st Street Sanitary Sewer Lift Station Force Main Replacement Project in the amount not to exceed \$25,500.00

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq; and

Whereas, The Sanitary District of Highland had experienced numerous leaks over the past several months on the force main from the 41st Street Sanitary Sewer Lift Station (41st Street LS), which leaks have been "blow-out" type failures in all cases and the pipe condition proximate to each leak shows a significant signs of corrosion; and

Whereas, The Sanitary Board of Commissioners, through the efforts of the Sanitary District Engineer, had conducted an investigation and had determined that the corrosion is caused by the adjoining soils; and

Whereas, The District, through its Board of Sanitary Commissioners, had heretofore determined a need to replace the existing 12" sanitary force main from the 41st Street Sanitary Sewer Lift Station to its outfall at the sanitary sewer interceptor manhole located on 5th Street, north of Lincoln Street; and

Whereas; The District implemented the 41st Street Sanitary Sewer Lift Station Force Main Replacement Project (Project) and, on November 17, 2015, engaged NIES Engineering, Incorporated, (NIES) to perform professional engineering design services for the Project for a not-to-exceed fee Sixty-Five Thousand Dollars and 0/100 Cents (\$65,000.00); and

Whereas, The District has further determined that the scope of the original Project has significantly been altered, owing to the force main routing and pipe sizing, which changes had not been anticipated in the original agreement; and

Whereas, NIES Engineering, Incorporated, (NIES) has offered and presented an Engineering Fee Addendum Request, attached hereto and made part of this Resolution, to the original agreement for professional design engineering services for the Project for an additional fee, not-to-exceed Twenty-five Thousand Five Hundred Dollars and 0/100 Cents (\$25,500.00); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the addendum to the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Addendum to the Professional Design Engineering Agreement (incorporated by reference and made a part of this resolution) between NIES Engineering, Incorporated, and the Sanitary District of Highland for **41st Street Sanitary Sewer Lift Station Force Main Replacement Project** for an additional not-to-exceed amount of Twenty-Five Thousand Five Hundred Dollars and 00/100 Cents (\$25,500.00) is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for professional engineering services are found to be reasonable and fair;

Section 3. That the revised contract fee for the Professional Engineering Design Agreement between NIES Engineering, Incorporated, and the Sanitary District of Highland for **41st Street Sanitary Sewer Lift Station Force Main Replacement Project** is fixed at a not-to-exceed amount of Ninety Thousand Five Hundred Dollars and 00/100 Cents (\$90,500.00)

Section 4. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 5. That the President of the Sanitary District of Highland be authorized to execute the Engineering Fee Addendum Request with his signature.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 21st day of February, 2017. Having been passed by a vote of 4 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard J. Garcia, President *Pro Tempore*

Attest:

/s/David Jones, Secretary

New Business: None

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$216,052.98
Fund 041	San Dist BD & Int Exem	\$161,002.50
Fund 042	San Dist BD & Int New	\$534,412.83
Fund 044	San Dist Capital	\$13,481.93
Fund 070	Sewage Operating	\$349,380.27
Fund 072	Sewage Improvement	\$108,184.84
	TOTAL	\$1,382,515.35

Commissioner Jones made a motion to approve payment of the claims in the amount of \$1,382,515.35. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Regular Public Meeting Session will be held Tuesday, March 21, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Cieslak moved to adjourn. Commissioner Burton seconded. The motion passed. Meeting adjourned at 7:15 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately after the Public Meeting on Tuesday, February 21, 2017, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works Michael Griffin, Clerk-Treasurer and Mark

Herak, Town Council.

1. Robert Tweedle advised the Board there is no change to report with the EPA and IDEM.
2. Robert Tweedle gave his opinion on the fees related to the calculation of the sump pump fees for those who do not disconnect.
3. There was a setback on the sale of the property on Laverne Drive. A variance will be necessary to comply with current Town code. The legal fees will be paid by the Town.
4. Bob Johnsen reviewed the sewer maintenance projects which are 86 segments to be lined.
5. Commissioner Garcia expressed his concern about the rate study with the City of Hammond.

Next Meeting: The next meeting will be a Study Session to be held on Tuesday, March 7, 2017 at 6:30 p.m. The next regularly scheduled Regular Public Meeting Session will be held Tuesday, March 21, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

A motion to adjourn the study session was made by Commissioner Garcia, Commissioner Burton seconded. The meeting was adjourned at 7:50 p.m.

Respectfully Submitted,

Laura Pramuk

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY MARCH 21, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday March 21, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Rex Burton, Richard Garcia, David Jones and Kathy DeGuilio-Fox. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen from Public Works.

1. Derek Snyder reported 75% of the sewer separation drainage issues have been addressed for the commercial properties downtown.
2. John Bach has been in contact with the homeowners at Hess and O'Day Drives to resolve the basement backup.
3. Robert Tweedle discussed that the DOJ are questioned Highland's data on the SWIM model. Running new numbers is costly estimated at \$30,000 for recalibration. In addition he is currently looking for a consultant to perform the cost of service study with Griffith.

The study session ended at 7 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, March 21, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular

Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Rex Burton, Richard Garcia, David Jones and Kathy DeGuilio-Fox. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works, and Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: February 21, 2017 of the Regular Public Meeting are posted as written.

Special Orders:

Election of Officers- President, Richard Garcia and Vice President, Greg Cieslak. Kathy DeGuilio-Fox has already received the Oath of Office.

Communications:

1. The street sweeping agreement from the INDOT for sweeping US Route 41 from the Little Calumet River to Main Street. INDOT will pay \$2,988 per year for two sweepings received by John Bach of Public Works.

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-11*

A Resolution Approving and Authorizing An Agreement between the Indiana Department of Transportation (INDOT) and the Sanitary District of Highland to Perform Street Sweeping on U.S. Route 41 (Indianapolis Boulevard) for the Period July 1, 2017 through June 30, 2021

Commissioner Burton motioned to approve Resolution 2017-11. Commissioner DeGuilio-Fox seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

**SANITARY BOARD OF COMMISSIONERS
RESOLUTION NO. 2017-11**

A Resolution Approving and Authorizing An Agreement between the Indiana Department of Transportation (INDOT) and the Sanitary District of Highland to Perform Street Sweeping on U.S. Route 41 (Indianapolis Boulevard) for the Period July 1, 2017 through June 30, 2021

Whereas, The State of Indiana, Department of Transportation (INDOT), has operational and maintenance responsibilities for U.S. Route 41 (Indianapolis Boulevard) through the Town of Highland; and

Whereas, As a part of that responsibility, has determined that US 41 requires periodic street sweeping (two times per year) as a "Housekeeping" Best Management Practice (BMP) in order to keep the highway clean and minimize the amount of debris that is discharged to the receiving streams, all pursuant to 327 IAC 15-13-14 (Rule 13); and

Whereas, INDOT has offered and the Town of Highland has agreed to enter into an Agreement for street sweeping

services to be performed by the Town of Highland Department of Public Works for 6.2 miles of curb length and 2.1 miles of median length along US41, through the Town of Highland, two (2) times per year; and

Whereas, The INDOT has offered and prepared a Sweeping Services Agreement, attached hereto and made a part of this Resolution, for sweeping services to be performed by the Town of Highland for fees to be charged and billed annually over the next four (4) years to the INDOT in the amount of \$2,988.00 per year, for the total contract amount of \$11,952.00 during the term of the Agreement; and

Whereas, the Sanitary District Board of Commissioners, pursuant to §3.05.030(E) of the HMC, serves as purchasing agency for the Department of Public Sanitation; and

Whereas, the Service agreement is for a period greater than One (1) year in duration and pursuant to §3.05.040 of the HMC requires the express approval of the purchasing agency; and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to approve the Agreement, pursuant to the terms set forth therein, for services described herein.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Street Sweeping Services Agreement, (incorporated by reference and made a part of this Resolution) between the State of Indiana, Department of Transportation and the Sanitary District of Highland is hereby approved, adopted, and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for Street Sweeping Services in the amount of Eleven Thousand, Nine Hundred Fifty-two and No Cents (\$11,952.00), paid annually in the amount of Two Thousand Nine Hundred Eighty-eight and No Cents (\$2,988.00), is found to be reasonable and fair;

Section 3. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 21st day of March 2017. Having been passed by a vote of 4 for and 0 opposed.

The Sanitary District of Highland
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

New Business: None

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$171,347.85
Fund 044	San Dist Capital	\$9,977.25
<u>Fund 070</u>	<u>Sewage Operating</u>	<u>\$ 241,382.19</u>
	TOTAL	\$422,707.29

Commissioner Jones made a motion to approve payment of the claims in the amount of \$422,707.29.

Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Regular Public Meeting Session will be held Tuesday, April 18, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Jones moved to adjourn. Commissioner Burton seconded. The motion passed. Meeting adjourned at 7:10 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately after the Public Meeting on Tuesday, March 21, 2017, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Present at the study session on silent roll call were Commissioners Rex Burton, Richard Garcia, David Jones and Kathy DeGuilio-Fox. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works Michael Griffin, Clerk-Treasurer and Mark Herak, Town Council.

1. The financial documentation and debt capacity was distributed but Michael Griffin was not present to give an overview.
2. Bob Johnsen read a residence letter requesting reimbursement in the amount of \$285 due to blockage..

Next Meeting: The next meeting will be a Study Session to be held on Tuesday, April 4, 2017 at 6:30 p.m. The next regularly scheduled Regular Public Meeting Session will be held Tuesday, April 18, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

A motion to adjourn the study session was made by Commissioner Garcia, Commissioner Burton seconded. The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY APRIL 18, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday April 18, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Rex Burton, Greg Cieslak, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering,

Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen from Public Works.

1. Bob Johnsen reported there was SSO's after the last storm and the ground was saturated which contributed to the amount of SSO's. The sewer maintenance plan is not complete.
2. Robert Tweedle reviewed the wording of the I/I program continuing that no formal action had taken place as yet. The closing for the property on Laverne Drive will be on April 19, 2017.
3. Derek Snyder has a RFQ prepared for the joint grouting price quotes. The sewer separation is complete at the Highland Jewelers. There is a dumpster at the dairy that does have overflow however because there is fluid drainage from the dumpster Derek recommends it stay connected so that this water is treated.
4. Robert Tweedle stated there is nothing new to report with the compliance with DOJ/EPA/IDEM and no change as well with the Hammond Sanitary District.

The study session ended at 7 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, April 18, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Rex Burton, Greg Cieslak, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: March 21, 2017 of the Regular Public Meeting are posted as written.

Special Orders: None

Communications:

1. A letter from James P Higgins, London Witte Group, LLC dated April 4, 2017 RE: Engagement letter- Financial Advisory Services.
2. A letter from Jeff Julkowski, Christopher B Burke Engineering, LTD dated April 14, 2017 RE: Martha Street Storm Sewer Improvement Project (Award Recommendation)

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-12

A Joint Enacting Instrument of the Highland Works Board of Directors, Highland Sanitary Board of Commissioners, and Highland Water Works Board of Directors Accepting the Quote of Ozinga Materials for Concrete Crushing Services of Approximated 9,400 tons of Concrete and Asphalt Debris located at the Highland Public Works Facility in the amount not-to-exceed Sixty Thousand Dollars and No Cents (\$60,000.00), as the Lowest Responsive and Responsible Quote

Commissioner Burton motioned to approve Resolution 2017-12. Commissioner Cieslak seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

Town of Highland
Order of the Works Board 2017-10
Waterworks Board Resolution No. 2017-10
Board of Sanitary Commissioners Resolution No. 2017-12

A Joint Enacting Instrument of the Highland Works Board of Directors, Highland Sanitary Board of Commissioners, and Highland Water Works Board of Directors Accepting the Quote of Ozinga Materials for Concrete Crushing Services of Approximated 9,400 tons of Concrete and Asphalt Debris located at the Highland Public Works Facility in the amount not-to-exceed Sixty Thousand Dollars and No Cents (\$60,000.00), as the Lowest Responsive and Responsible Quote

Whereas, During the course of usual business, the Department of Public Works has accumulated approximately 9,400 tons of concrete and asphalt waste (waste) that has been stockpiled at the Highland Public Works Facility; and

Whereas, the waste was derived from the roadwork, sidewalk replacement, water utility repairs, and storm and sanitary sewer system repairs over the course of several years; and

Whereas, The Public Works staff has evaluated the cost of removal versus the cost of grinding in place and determined that the costs are relatively the same; however, the byproduct of the process will produce an equivalent amount of crushed concrete suitable for projects that would normally require purchased limestone and slag, valued approximately at the cost of the crushing process; and

Whereas, the Public Works Director, pursuant to §3.05.050(D) of the HMC, serves as the Purchasing Agent for the Public Works Department, Highland Sanitary District and Highland Water Works District; and

Whereas, the Purchasing Agent, pursuant to §3.05.060(F) of the HMC, expected that the purchase would be at least \$50,000 and not more than \$150,000 invited quotes from contractors in accordance with §3.05.060(F) of the HMC; and

Whereas, the following quotes had been received:

Walsh & Kelly Inc.	\$80,500.00
Ozinga Materials, Inc.	\$60,000.00

; and

Whereas, it is prudent and in the best interest of the Highland Works Board, Highland Sanitary Board of Commissioners, and Highland Water Works Board of Directors to support and share cost of the service at a breakdown of 50% Board of Works, 25% Water Works Board and 25% Sanitary District, and

Whereas, the Town Council as the Works Board of the Municipality, pursuant to §3.05.030(A) of the HMC serves as purchasing agency for the Public Works Department; and

Whereas, the Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Public Sanitation Department; and

Whereas, the Board of Waterworks Directors, pursuant to §3.05.030(D) of the HMC serves as purchasing agency for the Highland Waterworks; and

Whereas, the purchase price exceeds \$15,000.00 and, pursuant to §3.05.050(B) of the HMC requires the express approval of the purchasing agencies; and

Whereas, the Town Council, acting as the Works Board for the Town of Highland, the Board of Sanitary Commissioners, and the Highland Waterworks Board of Directors now desire to approve and authorize the Public Works Director to accept the quote of Ozinga Materials, Inc. in the amount not-to-exceed Sixty Thousand Dollars and no cents (\$60,000) pursuant to the cost breakdown and terms stated herein.

Now Therefore Be it Hereby

Ordered by the Town Council, acting as the Works Board of the Town of Highland, Lake County, Indiana;
and

Resolved by the Board of Waterworks Directors of the Town of Highland, Lake County, Indiana; and

Resolved by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana;

Section 1. That the quote of Ozinga Materials, Inc. in the gross amount, not-to-exceed, of Sixty Thousand Dollars and no cents (\$60,000) for the concrete and asphalt crushing services at the Highland Public Works Facility is hereby accepted as the lowest responsive and responsible quote;

Section 2. That the purchase shall be funded in appropriate shares, established herein, by the Highland Board of Works through the Motor Vehicle Highway fund (2), Highland Sanitary Board of Commissioners through the Sewer Operating (40), and the Highland Water Works Board of Directors through the Water Works Operating fund (64); and

Section 3. That, upon the approval of the Highland Board of Works, Highland Sanitary Board of Commissioners and the Highland Water Works Board of Directors, the Public Works Director is hereby authorized to issue a purchase order to Ozinga Materials, Inc. and to execute all documents necessary to implement project.

BE IT SO ORDERED

DULY, PASSED, ADOPTED, AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana this 24th day of April, 2017 having passed by a vote of ____ in favor and ____ opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

DULY ADOPTED AND RESOLVED by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 18th day of April, 2017. Having been passed by a vote of 5 in favor and 5 opposed.

**THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:**

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

DULY ADOPTED AND RESOLVED +by the Board of Waterworks Directors of Highland, Lake County, Indiana, this 27th day of April, 2017. Having been passed by a vote of ____ in favor and ____ opposed.

THE WATERWORKS DISTRICT OF HIGHLAND
BY ITS BOARD OF DIRECTORS:

George A. Smith, President

Attest:

George Georgeff,, Secretary

2. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-13

Resolution of the Board of Sanitary Commissioners of the Highland Sanitary District Authorizing Notice of a Public Hearing regarding a Preliminary Determination to Issue Bonds.

Commissioner DeGiulio-Fox motioned to approve Resolution 2017-13. Commissioner Cieslak seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

HIGHLAND SANITARY DISTRICT, INDIANA
RESOLUTION NO. 2017-13

RESOLUTION OF THE BOARD OF SANITARY COMMISSIONERS OF THE HIGHLAND SANITARY DISTRICT
AUTHORIZING NOTICE OF A PUBLIC HEARING REGARDING A PRELIMINARY DETERMINATION TO ISSUE
BONDS

WHEREAS, the Highland Sanitary District, Highland, Indiana (the "District"), is considering the issuance of not to exceed Four Million Dollars (\$4,000,000) of special taxing district bonds of the District (the "Bonds") for the purpose of providing funds to pay for all or any portion of the costs of a sewage works improvement project for use by the District, consisting of the reimbursement of the Hammond Sanitary District for the costs of improvements to Hammond's sewage treatment plant, in consideration of the contractual right of the District to a specified percentage of the capacity thereof, together with all costs related to any of the foregoing; and

WHEREAS, the District wishes to conduct a public hearing regarding a preliminary determination to issue the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE DISTRICT, as follows:

Section 1. Authorization of Notice. The President of the Board of Sanitary Commissioners (the "Board") of the District is hereby authorized and directed to give notice of a preliminary hearing regarding the issuance of the Bonds substantially in the form attached hereto as Exhibit A (the "Notice") by causing the Notice to be published one time at least ten (10) days before the date of such hearing, which shall be held on May 2, 2017, and to provide a copy of such Notice to the Lake County Circuit Court Clerk at least ten (10) days prior to the date of the hearing.

Section 2. Effectiveness. This Resolution shall be in full force and effect from and after its passage and adoption by the Board.

Passed and adopted by the Board on the 18th day of April, 2017.

BOARD OF SANITARY COMMISSIONERS
OF THE HIGHLAND SANITARY DISTRICT

/3/Richard Garcia, President
/s/Greg Cieslak, Vice President
/s/David Jones, Member
/s/Rex Burton, Member
/s/Kathy DeGuilio-Fox, Member

3. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-14

A Resolution reducing appropriations in the Sanitary District Capital Fund, pursuant to I.C. 6-101-18, I.C. 36-9-25 et seq.

Commissioner Jones motioned to approve Resolution 2017-14. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

TOWN of HIGHLAND
BOARD of SANITARY COMMISSIONERS
DEPARTMENT OF PUBLIC SANITATION AND SANITARY DISTRICT
SANITARY DISTRICT APPROPRIATION RESOLUTION NO. 2017-14

A RESOLUTION REDUCING APPROPRIATIONS in the SANITARY DISTRICT CAPITAL FUND, PURSUANT to I.C. 6-1.1-18, I.C. 36-9-25 ET SEQ.

WHEREAS, The Board of Sanitary Commissioners (the "Board") of the Department of Public Sanitation and its Sanitary District of the Town of Highland, Indiana (the "District") has heretofore issued Bonds of the Sanitary District in 2016 the proceeds of which were deposited to the Sanitary District Capital Fund;

WHEREAS, The Board was further advised that in order to expend the proceeds of the bonds, an additional appropriation hearing and authorization is necessary, notwithstanding I.C. 36-9-25-37, which states that "*all money raised under this chapter (I.C. 36-9-25) is considered appropriated to the respective purposes stated ...*", which the board did carry-out;

WHEREAS, The Town Clerk-Treasurer as fiscal officer of the Sanitary District did advise the Board of Commissioners that that sale was at less than par thus raising cash proceeds that were slightly less than the amount appropriated;

WHEREAS, It has been determined that it is now necessary to reduce appropriations from what was appropriated in the budget for the Sanitary District Capital Fund;

WHEREAS, It has been determined that such diminished and reduced appropriations as may be approved by this resolution, will neither increase nor decrease the levy set under I.C. 6-1.1-17 and in the course of collection for FY 2017 as this involves a fund supported by Bond proceeds, however such reduction will work to align the appropriations with the available resources to be expended;

NOW, THEREFORE BE IT HEREBY RESOLVED by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following appropriations of money are hereby reduced and ordered returned or reverted to the fund herein named and for the purposes herein specified, subject to the laws governing the same:

SANITARY DISTRICT CAPITAL FUND:

Reduce the following account:

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Sanitary District of Highland

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Acct. 044-0000-33003-0018 San Dist CAP BOND COUNSEL:	<u>\$ 11,217.84</u>
<i>Total Reduction for the Series:</i>	\$ 11,217.84

Total Reduction for the Fund:	<u>\$11,217.84</u>
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Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action, pursuant to IC 6-1.1-17.

Duly Passed and Adopted this 17th Day of April 2017, by the Board of Sanitary Commissioners of the Town of Highland, Indiana. Having passed by a vote of 5 in favor and 0 opposed, all pursuant to I.C. 36-9-25 and I.C. 6-1.1-18 et seq.

BOARD of SANITARY COMMISSIONERS
TOWN of HIGHLAND, INDIANA

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

4. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-15

A Resolution Authorizing and Approving an Agreement between London Witte Group, LLP and the Town of Highland Sanitary District to Perform Professional Financial Advisory and Bond Sale Support Services.

Commissioner Jones motioned to approve Resolution 2017-15. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

TOWN OF HIGHLAND
DEPARTMENT OF PUBLIC SANITATION
RESOLUTION of the BOARD OF SANITARY COMMISSIONERS
RESOLUTION No. 2017-15

A Resolution Authorizing and Approving an Agreement between London Witte Group, LLP and the Town of Highland Sanitary District to Perform Professional Financial Advisory and Bond Sale Support Services.

Whereas, The Town of Highland Department of Public Sanitation, through its Board of Sanitary Commissioners, has heretofore determined that a need exists to finance certain capital and related expenses associated with an agreement between the Hammond Sanitary District and the Town of Highland Sanitary District;

Whereas, The Town of Highland Department of Public Sanitation and its Sanitary District has been reliably advised that a need exists to engage professional financial advisory services to assist with the sale of bonds Series 2017 and related financing analysis related to the financing of the capital and related expenses associated with an agreement between the Hammond Sanitary District and the Town of Highland Sanitary District;

Whereas, London Witte Group, LLP, has offered and presented a letter proposal to provide and furnish professional support and bond sale and financial advisory services in consideration for fees to be charged and billed periodically based upon a lump sum of the value of the services completed, excluding expenses, in a not-to-exceed amount of Thirty-thousand, dollars (\$30,000);

Whereas, There are anticipated to be sufficient and available appropriations balances on hand to support the payments

under the agreement, pursuant to IC 5-22-17-3(e) and IC 36-1-12-3.5, provided four of five commissioners concur;

Whereas, The Clerk-Treasurer, as purchasing agent in the associated matter, is prohibited from entering into a service agreement that exceeds \$15,000 without the express approval of the purchasing agency, which in this case, is the Board of Sanitary Commissioners, all pursuant to Section 3.05.040 (C) and Section 3.05.050 (B)(3) of the Highland Municipal Code; and,

Whereas, The Town of Highland Department of Public Sanitation and Sanitary District, through its Board of Sanitary Commissioners now desires to approve the agreement for services as herein described, authorize the desired not to exceed amount,

Now Therefore Be it Resolved by the Board of Sanitary Commissioners of the Town of Highland Department of Public Sanitation and Sanitary District, Lake County, Indiana:

Section 1. That the engagement letter proposal to provide and furnish professional support and bond sale and financial advisory services in consideration for fees to be charged and billed periodically based upon a lump sum of the value of the services completed, in a not-to-exceed amount of thirty thousand, dollars (\$30,000) between London Witte Group, LLP, and the Town of Highland Department of Public Sanitation and Sanitary District, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement to furnish professional support and bond sale and financial advisory services in consideration for fees to be charged and billed periodically based upon a lump sum of the value of the services completed, including expenses, in a not-to-exceed amount of **thirty thousand, dollars (\$30,000)** are found to be reasonable and fair;

Section 3. That there are anticipated to be sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e) and IC 36-1-12-3.5, provided four of five commissioners concur;

Section 4. That the Clerk-Treasurer be hereby authorized to appropriately allocate the costs associated with the professional services agreement between and among governmental and utility funds and further to execute the agreement with his signature.

DULY, PASSED AND ADOPTED by the Board of Sanitary Commissioners of the Town of Highland Department of Public Sanitation and Sanitary District, Lake County, Indiana, this 18th day of April 2017 having passed by a vote of 5 in favor and 0 opposed.

BOARD of SANITARY COMMISSIONERS
Department of Public Sanitation & Sanitary District
of the TOWN of HIGHLAND, INDIANA

/s/Richard Garcia, **President**

Attest:

/s/David Jones, **Secretary**

New Business:

1. Christopher B Burke Engineering LTD award recommendation of the Martha Street Storm Sewer Improvement Project with the award going to Grimmer Construction. Upon discussion no action was taken.

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$193,929.49
Fund 044	San Dist Capital	\$21,448.25
Fund 070	Sewage Operating	<u>\$205,408.75</u>
	TOTAL	\$ 420,786.49

Commissioner Jones made a motion to approve payment of the claims in the amount of \$420,786.49. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Regular Public Meeting Session will be held Tuesday, May 16, 2017 at 7:00 p.m., following a study session at 6:30 p.m. A Special Public Meeting will be held on May 2, 2017.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Burton moved to adjourn. Commissioner DeGiulio-Fox seconded. The motion passed. Meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A SPECIAL PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY, MAY 2, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Special Public Meeting at 6:30 p.m. on Tuesday May 2, 2017, in the council chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the special meeting.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Kathy DeGiulio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works

1. A sinkhole was discovered by the Public Works facility. Grimmer Construction will be performing the repair work was reported by Bob Johnsen.
2. Robert Tweedle reported on the final language on the residential I&I removal program. The sale of the Laverne Street property closed.
3. Derek Snyder stated there are not any updates on the grouting quotes or commercial sewer separation projects. The Lincoln Street Pump control project will be receiving delivery of equipment in the next 2 or 3 weeks. The sewer lining project has completed 28,000 linear feet of pipe.
4. Robert Tweedle stated the draft consent decree was still under review. Highland is late on the payment for the true up but the Hammond Sanitary District has been advised. Robert will be in contact with Griffith in regards to a cost of service study.

The study session ended at 7 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, May 2, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Special Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Rex Burton, Kathy DeGiulio-Fox, Richard Garcia, and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works and Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: None

Special Orders: None

Communications:

1. Letter from Jeff Julkowski, Christopher B. Burke Engineering LTD – Martha Street Storm Sewer Project – Award Recommendation
2. Letter from Jeff Julkowski, Christopher B. Burke Engineering LTD – Martha Street Storm Sewer Project – Engineering Contract Addendum
3. Letter from Jeff Julkowski, Christopher B. Burke Engineering LTD- Martha Street Storm Sewer Project Construction Engineering Services

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-16

A RESOLUTION AWARDING A BID TO GRIMMER CONSTRUCTION COMPANY, INCORPORATED FOR THE MARTHA STREET STORM SEWER AND PUMPING STATION PROJECT IN THE TOTAL AMOUNT OF \$1,357,658.20 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID

Commissioner Burton motioned to approve Resolution 2017-16. There was discussion if a penalty clause existed in the contract for completion of the work and the fees associated of the same. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2017-16

A RESOLUTION AWARDING A BID TO GRIMMER CONSTRUCTION COMPANY, INCORPORATED FOR THE MARTHA STREET STORM SEWER AND PUMPING STATION PROJECT IN THE TOTAL AMOUNT OF \$1,357,658.20 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has heretofore determined to make drainage improvements along the 3100-3400 blocks of Martha to Street to alleviate street flooding along Martha Street and adjoining streets; and

Whereas, The District engaged Christopher B Burke Engineers, LTD (CBBEL) to perform a feasibility study to identify solutions to correct the problem; and

Whereas, Based upon the recommendation of CBBEL, the District has determined to construct a new storm sewer along the 3100-3400 blocks of Martha Street, construct a new outfall from the Martha Street storm sewer to the Cady Marsh Ditch at Grace Street, to construct a storm water pump station at the intersection of Martha Street and Johnston Street, and to construct other ancillary storm sewer improvements along the Cady Marsh Ditch, all compiled into one (1) project to be known as the Martha Street Storm Sewer and Pumping Station Project (Project); and

Whereas, The District had engaged CBBEL to prepare plans and specifications for the Project on behalf of the Sanitary District and the Project was bid in accordance with IC 36-1-12 *et seq.* and notice was published in accordance with IC 5-3-1; and

Whereas, the following bids were received at 10:00 a.m. on April 13, 2017:

Gatlin Plumbing and Heating, Incorporated	\$1,422,000.00
Dyer Construction Company	\$1,587,725.78
Grimmer Construction, Incorporated	\$1,323,658.20

Whereas, the Sanitary District Superintendent and Christopher B. Burke Engineering, LTD have reviewed the bids and determined that the bid of Grimmer Construction, Incorporated in the amount of One Million Three Hundred Twenty-three Thousand Six Hundred Fifty-eight Dollars and 20/100 (\$1,323,658.20) to be the lowest responsive and responsible bid, and

Whereas, there are sufficient and available appropriations balances on hand in the Sanitary District Capital Fund to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept the bid and award the Project to Grimmer Construction, Incorporated.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

1. That the bid of Grimmer Construction, Incorporated in the amount of One Million Three Hundred Twenty-three Thousand Six Hundred Fifty-eight Dollars and 20/100 (\$1,323,658.20) for the Martha Street Storm Sewer and Pumping Station Project is hereby accepted as the lowest responsive and responsible bid;
2. That the Sanitary District Superintendent is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 2nd day of May, 2017. Having been passed by a vote of 5 in favor and 0 opposed.

HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

2. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-17*

RESOLUTION OF THE BOARD OF SANITARY COMMISSIONERS OF THE TOWN OF HIGHLAND
SANITARY DISTRICT, MAKING PRELIMINARY DETERMINATION TO ISSUE BONDS

Commissioner Cieslak motioned to approve Resolution 2017-17. Commissioner Burton seconded. Robert Tweedle confirmed proof of publication for the bond issue.

The Public Hearing opened. There was brief discussion regarding the preliminary determination to issue bonds. Commissioner Garcia asked for comments in favor or against from the public three times. Hearing no comment from the public, the public hearing was closed.

Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

HIGHLAND SANITARY DISTRICT, INDIANA
RESOLUTION NO. 2017-17

**RESOLUTION OF THE BOARD OF SANITARY COMMISSIONERS OF THE TOWN OF HIGHLAND SANITARY
DISTRICT, MAKING PRELIMINARY DETERMINATION TO ISSUE BONDS**

WHEREAS, the Board of Sanitary Commissioners (the "Board") of the Town of Highland Sanitary District (the "District") has given consideration to the completion of a sewage works improvement project for use by the District, consisting of the reimbursement of the Hammond Sanitary District for the costs of improvements to Hammond's sewage treatment plant, in consideration of the contractual right of the District to a specified percentage of the capacity thereof, and related costs (the "Project"); and

WHEREAS, the total cost of the Project, including consultants' services, legal and financing expenses, and repayment of any funds advanced by the District to meet preliminary expenses necessary to be paid prior to the issuance of bonds by the District, is not greater than Four Million Dollars (\$4,000,000) and the Board reasonably expects to reimburse such expenditures with the proceeds of the bonds to be issued by or on behalf of the District for the purpose of financing the Project; and

WHEREAS, pursuant to Indiana Code §6-1.1-20-3.1, if the District proposes to impose property taxes to pay debt service on bonds for any construction, renovation, improvement, remodeling, alteration or expansion project, which is not excluded under Indiana Code §6-1.1-20-1.1, it must conduct a public hearing on the preliminary determination to proceed with such Project prior to the District adopting any resolution making a preliminary determination to issue such bonds; and

WHEREAS, notice of said hearing has been given in accordance with Indiana law; and

WHEREAS, interested people have been given the opportunity to present testimony and ask questions concerning the Project, and this Board has heard public input at a public hearing held this date concerning the Project; and

WHEREAS, the Board, being duly advised, finds that it is in the best interests of the District and its citizens for the purpose of financing all or any portion of the Project to issue its bonds for the purpose of financing all or any portion of the Project, in order to better serve the residents of the District; and

WHEREAS, the Board desires to establish its intent, pursuant to Treas. Reg. §1.150-2 and IC 5-1-14-6(c), that said costs of the Projects are to be reimbursed from the proceeds of the bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE HIGHLAND

SANITARY DISTRICT, AS FOLLOWS:

1. The Board hereby makes a preliminary determination that there exists a need for the Project. Accordingly, the Board hereby makes a preliminary determination that to the extent permitted by law the District will take all of the necessary steps to issue bonds and the District will finance all or any portion of the Project. The District will finance all or any portion of the Project through one or more series of bonds (the "Bonds") and other funds of the District. Principal and interest on the District's Bonds will be payable from *ad valorem* property taxes levied and collected on all taxable property within the geographical boundaries of the District. The proposed Bonds will have a term no longer than ten (10) years. The maximum estimated interest rate that will be paid in connection with the Bonds is five percent (5%) per annum, and the total estimated interest cost is \$1,104,291.67.

2. A notice of the foregoing preliminary determination that to the extent permitted by law the District will take all of the necessary steps to issue the Bonds to finance all or a portion of the costs of all or a portion of the Project shall be given in accordance with Indiana Code §6-1.1-20-3.1.

3. The Board hereby declares its official intent, to the extent permitted by law, to issue the Bonds in one or more series or issues, which Bonds will not exceed an original maximum aggregate principal amount of Four Million Dollars (\$4,000,000), and to reimburse costs of the Project from proceeds of the Bonds.

4. This Resolution shall be in full force and effect from and after its passage and adoption by the Board.

Passed and adopted by the Board on the 2nd day of May, 2017.

**BOARD OF SANITARY COMMISSIONERS
OF THE HIGHLAND SANITARY DISTRICT**

/s/Richard Garcia, President
/s/Greg Cieslak, Vice President
/s/David Jones, Member
/s/Rex Burton, Member
/s/Kathy DeGiulio-Fox, Member

3. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-18*

AN ORDER AFFIRMING, RATIFYING, AUTHORIZING AND APPROVING AGREEMENT(S) BETWEEN BOND COUNSEL, LOCAL COUNSEL AND THE SANITARY DISTRICT TO PERFORM PROFESSIONAL LEGAL SERVICES IN SUPPORT OF THE ISSUANCE OF THE SANITARY DISTRICT BONDS OF 2017 NOT TO EXCEED \$69,000

Commissioner Burton motioned to approve Resolution 2017-18. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

**The Town of Highland Sanitary District
Resolution No. 2017-18**

AN ORDER AFFIRMING, RATIFYING, AUTHORIZING AND APPROVING AGREEMENT (S) BETWEEN BOND COUNSEL, LOCAL COUNSEL AND THE SANITARY DISTRICT TO PERFORM PROFESSIONAL LEGAL SERVICES IN SUPPORT OF THE ISSUANCE OF THE SANITARY DISTRICT BONDS OF 2017

Whereas, The Town of Highland Department of Public Sanitation, through its Board of Sanitary Commissioners, organized pursuant to I.C. 36-9-25 et seq., has heretofore determined that a need exists for the completion of a sewage works improvement project for use by the Sanitary District, consisting of the reimbursement of the Hammond Sanitary District for the costs of improvements to Hammond's sewage treatment plant, in consideration of the contractual right of the Sanitary District

to a specified percentage of the capacity thereof, and related costs; and

Whereas, The Board of Sanitary Commissioners organized pursuant to I.C. 36-9-25 et seq., did authorize the issuance and sale of Sanitary District Bonds of 2017, the sale date of which is yet to be fixed; and

Whereas, The Town of Highland Department of Public Sanitation, through its Board of Sanitary Commissioners and its Sanitary District, organized pursuant to I.C. 36-9-25 et seq., has heretofore determined that a need exists to engage professional legal services associated with the sale of the Sanitary District Bonds; and

Whereas, BARNES & THORNBURG LLP, a law firm, has consented to provide professional services related to issuing the Sanitary District Bonds including providing an opinion letter for the buyer of the bonds, and other services related to service as Bond Counsel; and

Whereas, Law Offices of Robert F. Tweedle, a law firm, has consented to provide professional services related to issuing the Sanitary District Bonds including other services related to service as Local Counsel, which would be apart from and in addition to the terms for services for which it is already engaged by the Sanitary District; and

Whereas, As purchasing agency for the Department of Public Sanitation and the Sanitary District, the Board of Sanitary Commissioners may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1; and

Whereas, The Highland Municipal Code provides that, the Board of Sanitary Commissioners may make all contracts for professional services on the basis of competence and qualifications for the type of services to be performed, and negotiate compensation that the public agency determines to be reasonable, pursuant to Section §3.05.090; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments for these services under the agreements, pursuant to IC 5-22-17-3(e); and

Whereas, The Department of Public Sanitation and the Sanitary District of the Town of Highland, through its Board of Sanitary Commissioners now desires to accept and approve the agreement for services as herein described.

Now Therefore be it Ordered by the Board of Sanitary Commissioners of the Department of Public Sanitation and the Sanitary District of the Town of Highland, Lake County, Indiana;

Section 1. That the Agreement (incorporated by reference and made a part of this Order) between BARNES & THORNBURG, LLP, and the Department of Public Sanitation and the Sanitary District of the Town of Highland, to provide professional services related to issuing the Sanitary District Bonds of 2017 including providing an opinion letter for the buyer of the bonds, and other services related to service as Bond Counsel is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for the services, which are to be a fixed fee of \$45,000.00, assuming the bond is not the subject of a successful petition for referendum or petition-remonstrance, and separate billing at standard rates for services relating to compliance with referendum or petition-remonstrance procedure, are not based upon a percentage of cost of the capital project, and are found and determined to be related to the services rendered as well as appropriate, reasonable and fair, all pursuant to IC 5-22-6-1, 50 IAC 11-3-1 and Section § 3.05.090 of the municipal code;

Section 3. That the Agreement (incorporated by reference and made a part of this Order) between Robert F. Tweedle, Attorney at law, and the Department of Public Sanitation and the Sanitary District of the Town of Highland to provide professional services related to issuing the Sanitary District Bonds of 2017 including other services related to service as Local Counsel, which would be apart from and in addition to the terms for services for which he is already engaged by the Sanitary District is hereby approved, adopted and ratified in each and every respect;

Section 4. That the terms and charges under the agreement for the services, which are to be a fixed fee of \$24,000.00, are not based upon a percentage of cost of the capital project, and are found and determined to be related to the services rendered as well as appropriate, reasonable and fair, all pursuant to IC 5-22-6-1, 50 IAC 11-3-1 and Section § 3.05.090 of the municipal code;

Section 5. That the President of the Board of Sanitary Commissioners be authorized to execute any

agreement under the terms of this order with his signature as attested thereto by the Board Secretary.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by Board of Sanitary Commissioners of the Department of Public Sanitation and the Sanitary District of the Town of Highland, Lake County, Indiana, this 2nd day of May, 2017 having passed by a vote of 5 in favor and 0 opposed.

**BOARD of SANITARY COMMISSIONERS
Sanitary District of the TOWN of
HIGHLAND, INDIANA**

/s/Richard Garcia, **President**

Attest:

/s/David Jones, **Secretary**

4. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-19*

A RESOLUTION AMENDING, AUTHORIZING AND ESTABLISHING THE INFLOW AND INFILTRATION REMOVAL PROGRAM OF THE SANITARY DISTRICT

Commissioner Jones motioned to approve Resolution 2017-19. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

**SANITARYDISTRICTof HIGHLAND
BOARD of SANITARY COMMISSIONERS
PROGRAM ENABLING RESOLUTION
RESOLUTION No. 2017-19**

A RESOLUTION AMENDING, AUTHORIZING and ESTABLISHING THE INFLOW and INFILTRATION REMOVAL PROGRAM of the SANITARYDISTRICT

WHEREAS, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.;

WHEREAS, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all sewage works of the district and may purchase, acquire, construct, reconstruct operate, repair and maintain all sewage works; and,

WHEREAS, IC 36-9-25-10(16) specifically provides that the Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25, including repealing or amending them consistent with the Sanitary District Law;

WHEREAS, IC 36-9-25-42 specifically authorizes the Board of Sanitary Commissioners to provide financial assistance to property owners to reduce or ameliorate inflow and infiltration in the sewage works by way of a grant or other financial assistance up to Eighty Percent (80%) of the total anticipated cost of the project for which the financial assistance is provided;

WHEREAS, The Board of Sanitary Commissioners in performing its duties, did heretofore determine that passage and adoption of a Inflow and Infiltration Reduction Program, featuring a Reimbursement Grant Incentive

Program to be paid from funds of the Sanitary District to be necessary and desirable for the sound management and control of the sewage works and performing its duty to construct, reconstruct operate, repair and maintain all sewage works;

WHEREAS, The Board of Sanitary Commissioners wishes now to determine and finds such action to be necessary for the sound management and control of the sewage works and important to performing its duty to construct, reconstruct operate, repair and maintain all sewage works; and

WHEREAS, The Board of Sanitary Commissioners wishes amend and update a previous Inflow and Infiltration Reduction Program, which it adopted on November 3, 1999;

NOW, THEREFORE BE IT RESOLVED by the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That a Private Inflow /Infiltration Removal Program is hereby found and determined to be necessary and desirable for the sound management and control of the sewage works and important to performing its duty to construct, reconstruct, operate, repair and maintain all sewage works;

Section 2. That the Private Inflow /Infiltration Removal Program as set forth in the attached exhibit and incorporated and a made a part of this resolution by its reference, is hereby adopted and approved in all respects;

Section 3. That should any provision of the Private Inflow/Infiltration Removal Program as set forth in the attached exhibit and incorporated and a made a part of this resolution by its reference, be found as a matter of law to be unenforceable for any reason, such provisions are severable, and all remaining provisions shall continue with their full force and effect;

Section 4. That the Superintendent of the Sanitary District or his designee is instructed and authorized to carry out the objects and purposes of this resolution;

Section 5. That this Resolution shall be effective immediately upon its passage and adoption by the Board of Sanitary Commissioners and may be amended or repealed by subsequent resolution duly passed and adopted.

Passed and adopted this 2nd Day of May 2017 for the Sanitary District of Highland by its Board of Sanitary Commissioners.

**THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS**

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

5. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-20*

A RESOLUTION ACCEPTING AND APPROVING AN ADDENDUM TO THE AGREEMENT BETWEEN CHRISTOPHER B. BURKE ENGINEERING, LTD AND THE SANITARY DISTRICT OF HIGHLAND TO PERFORM PROFESSIONAL ENGINEERING DESIGN SERVICES IN SUPPORT OF THE MARTHA STREET STORM SEWER IMPROVEMENT PROJECT NOT TO EXCEED \$11,500

Commissioner Cieslak motioned to approve Resolution 2017-20. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

**Sanitary District of Highland
Board of Sanitary Commissioners
Resolution No. 2017-20**

A Resolution Accepting and Approving an Addendum to the Agreement between Christopher B. Burke Engineering, LTD and the Sanitary District of Highland to perform Professional Engineering Design Services in support of the Martha Street Storm Sewer Improvement Project

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has heretofore determined that a need exists to evaluate and remedy certain flooding conditions along the Cady Marsh Ditch between Cline Avenue and the Cross Town Bicycle Trail; and

Whereas, The District had engaged Christopher B. Burke, Engineering, LTD (CBBEL) on October 21, 2008, to provide professional engineering services for the Cady Marsh Ditch Flood Control Investigation; and

Whereas, CBBEL has delivered its report to the District that recommends storm sewer system improvements along the 3200-3400 blocks of Martha Street and the construction of a storm water pump station at the intersection of Martha Street and Johnston Street, which will improve storm drainage in the area; and

Whereas, The District had engaged Christopher B. Burke, Engineering, LTD (CBBEL) on May 18, 2008, to provide professional engineering services for the Martha Street Storm Sewer Project for an estimated fee of \$122,780.00; and

Whereas, CBBEL has performed services that were not anticipated or included in the original scope of project and additional costs have been incurred due to the suspension of work as requested by the District; and

Whereas, CBBEL has presented a request for an addendum to the original contract, attached hereto and made a part of this Resolution, that discuss the basis for the increase of \$11,500; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the addendum to the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Addendum to the Professional Engineering Agreement (incorporated by reference and made a part of this resolution) between Christopher B. Burke Engineering, LTD and the Sanitary District of Highland for the **Martha Street Storm Sewer Improvements** for a not-to-exceed amount of Eleven Thousand five Hundred Dollars and no cents (\$11,500.00) is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the addendum to the agreement for professional engineering services are found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that Christopher B. Burke Engineering, LTD has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 2nd day of May 2017. Having been passed by a vote of 5 for and 0 opposed.

**The Sanitary District of Highland
BY ITS BOARD OF COMMISSIONERS:**

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

6. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-21*

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN CHRISTOPHER B. BURKE ENGINEERING, LTD AND THE SANITARY DISTRICT OF HIGHLAND TO PERFORM ENGINEERING SERVICES DURING CONSTRUCTION IN SUPPORT OF THE MARTHA STREET STORM SEWER AND PUMPING STATION PROJECT

Commissioner DeGiulio-Fox motioned to approve Resolution 2017-21. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2017-21

A Resolution Authorizing and Approving an Agreement between Christopher B Burke Engineering, LTD and the Sanitary District of Highland to perform Engineering Services during Construction in support Martha Street Storm Sewer and Pumping Station Project

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has heretofore determined that a need to make certain improvements to the storm sewer system along the 3200-34 blocks of Martha Street has implemented the Martha Street Storm Sewer and Pumping Station Project (Project), and

Whereas, On May 2, 2017, the District Awarded a Bid to Grimmer Construction Company, Incorporated in the amount of One Million Three Hundred Fifty-seven Thousand Six Hundred Fifty-eight Dollars and 20/100 (\$1,357,658.20), as the Lowest Responsive and Responsible bid and

Whereas, The District has heretofore determined a need exists to engage professional engineering services during construction in order to implement the Project and Christopher B Burke Engineering, LTD (Consultant) has offered and

presented an agreement to provide and furnish Professional Engineering Services during construction in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services associated with the District work completed, in an amount not to exceed One Hundred Twenty-three Thousand Five Hundred Fifty Dollars (\$123,550.00); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

Section 1. That the Professional Engineering Services during construction Agreement (incorporated by reference and made a part of this resolution) between Christopher B Burke Engineering, LTD and the Sanitary District of Highland for the sewer work associated with the Martha Street Storm Sewer and Pumping Station Project is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for construction engineering services associated with the work authorized by the Sanitary District in the not to exceed amount of exceed One Hundred Twenty-three Thousand Five Hundred Fifty Dollars (\$123,550.00) is found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that Christopher B Burke Engineering, LTD has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 2nd day of May 2017. Having been passed by a vote of 5 in favor and 0 opposed.

HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

New Business: None

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims: None

Next Meeting: The next regularly scheduled Public Meeting Session will be held on Tuesday, May 16, 2017 7:00 p.m. following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Burton moved to adjourn. Commissioner Cieslak seconded. The motion passed. Meeting adjourned at 7:22 p.m.

Respectfully Submitted

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY May 16, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, May 16, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Rex Burton, Greg Cieslak, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen from Public Works and Susan Franzetti, Attorney.

1. Bob Johnsen reported there were SSO's after the May 9-10 storms. Sewage went into 3 basements, 2 of which required cleaning and carpet replacement. On May 10th, the main broke and sewage was sent into the Cady Ditch. Rainfall and force main problems have caused all SSO issues for the Town.
2. Derek Snyder reported on the sewer maintenance plan and the Town is currently televising. The Lincoln Street pump station has had the VFD delivered. The unit will be assembled and then installed.

The study session ended at 7:05 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, May 16, 2017, 7:05 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Rex Burton, Greg Cieslak, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works, Michael Griffin, Clerk-Treasurer, Susan Franzetti, Attorney and Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: April 18, 2017 of the Regular Public Meeting and the May 2, 2017 Special Public Meeting are posted as written.

Special Orders: None

Communications:

1. A letter from Jim Mandon of Robinson Engineering dated May 8, 2017 in regards to the Johnston

Street sanitary Sewer Project, Construction Engineering Services.

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-22*

DECLARATORY RESOLUTION APPROVING A PROJECT OF THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND, INDIANA

Commissioner DeGiulio-Fox motioned to approve Resolution 2017-22. Commissioner Cieslak seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

HIGHLAND SANITARY DISTRICT, INDIANA
RESOLUTION NO. 2017-22
DECLARATORY RESOLUTION APPROVING A PROJECT
OF THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND, INDIANA

WHEREAS, pursuant to IC 36-9-25, as amended (the “Act”), the Board of Sanitary Commissioners (the “Board”) of the Sanitary District of the Town of Highland, Indiana (the “District”) has determined to issue special taxing district bonds, in one or more series, in an aggregate principal amount not to exceed Four Million Dollars (\$4,000,000) (the “Bonds”) to finance all or a portion of the cost of a sewage works improvement project for use by the District, consisting of the reimbursement of the Hammond Sanitary District for the costs of improvements to Hammond’s sewage treatment plant, in consideration of the contractual right of the District to a specified percentage of the capacity thereof (the “Contract Rights”), and all costs related thereto, including expenses in connection with or on account of the issuance of the Bonds (collectively, the “Project”); and

WHEREAS, the Board has reviewed the general plans for the Project previously prepared on behalf of the City of Hammond and has determined the estimated cost of the Project;

WHEREAS, the Board has upon previous investigation found that there are streams and watercourses within the District that are being polluted by the discharge therein of sewage, drainage or other harmful matter and that it is necessary for the public health and welfare and of public utility and benefit to construct and maintain (or to contract for the usage of) sewage works to prevent the pollution of such streams and watercourses, and now determines that providing for the acquisition of the Contract Rights will further these purposes;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE HIGHLAND SANITARY DISTRICT, AS FOLLOWS:

Section 1. The Board hereby finds that it is necessary for the public health and welfare and will be of public utility and benefit to proceed with the acquisition of the Contract Rights.

Section 2. The Board hereby approves the general plans for the Project previously prepared on behalf of the City of Hammond and the estimated cost of the Contract Rights, including costs of issuing the Bonds to finance the Project, in the amount of not to exceed Four Million Dollars (\$4,000,000), all of which shall be open to public inspection by all persons interested in or affected by the acquisition of the Contract Rights.

Section 3. The Board hereby authorizes publication of a notice of the adoption of this resolution and the fact that general plans and estimates have been prepared and may be inspected. The notice shall state that the Board will conduct a public hearing on June 6, 2017, at 7:00 p.m. (local time), at the Highland Town Hall, located at 3333 Ridge Road, Highland, Indiana, at which the Board will receive or hear remonstrances from persons interested in or affected by the proceedings, and after which the Board will take final action determining the public utility and benefit of the Project and confirming, modifying and confirming, or rescinding this resolution.

Section 4. The officers and representatives of the District and any member of the Board are hereby authorized, empowered and directed, on behalf of the District, to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolutions, and any actions heretofore made or taken be, and hereby are, ratified and approved.

Section 5. This resolution shall be in full force and effect from and after its adoption.

Passed and adopted by the Board on the 16th day of May, 2017

**BOARD OF SANITARY COMMISSIONERS
OF THE HIGHLAND SANITARY DISTRICT**

/s/Richard Garcia, President
/s/Greg Cieslak, Vice President
/s/David Jones, Member
/s/Rex Burton, Member
/s/Kathy DeGuilio Fox

2. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-23*

A Resolution Authorizing and Approving an Agreement between Robinson Engineering, LTD and the Sanitary District of Highland to perform Engineering Services during Construction in support Johnston Street Sanitary Sewer Project in the amount not to exceed \$22,350

Commissioner Jones motioned to approve Resolution 2017-23. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

**SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2017-23**

A Resolution Authorizing and Approving an Agreement between Robinson Engineering, LTD and the Sanitary District of Highland to perform Engineering Services during Construction in support Johnston Street Sanitary Sewer Project in the amount not to exceed amount of \$22,350

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The District, through its Board of Sanitary Commissioners, has heretofore determined a need to replace an existing eight inch (8") sanitary sewer in the 8100-8300 blocks of Johnston Street and the adjoining eight inch (8") laterals sewers serving the 3500 blocks of 81st Street, Duluth Place, Eder Place, and the 3400 block of Grand Boulevard owing to their deficiency and deteriorated conditions, which allow for extraordinary inflow/infiltration to the sanitary sewer system; and has implemented the Johnston Street Sanitary Sewer Project (Project), and

Whereas, The District has heretofore determined a need exists to engage professional engineering services during construction in order to implement the Project and Robinson Engineering, LTD (Consultant) has offered and presented an

agreement to provide and furnish Professional Engineering Services during construction in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services associated with the District work completed, in an amount not to exceed Twenty-two Thousand Three Hundred Fifty Dollars and No cents (\$22,350.00); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

Section 1. That the Professional Engineering Services during construction Agreement (incorporated by reference and made a part of this resolution) between Robinson Engineering, LTD and the Sanitary District of Highland for the sewer work associated with the the Johnston Street Sanitary Sewer Project is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for construction engineering services associated with the work authorized by the Sanitary District in the not to exceed amount of exceed Twenty-two Thousand Three Hundred Fifty Dollars and No cents (\$22,350.00) is found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that Robinson Engineering, LTD has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 16th day of May 2017. Having been passed by a vote of 5 in favor and 0 opposed.

HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

3. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-24

A Resolution Authorizing and Approving an Agreement between Butler, Fairman, and Seufert, Incorporated and the Sanitary District of Highland to perform Professional Engineering Services to Implement the Town of Highland, MS4 Education and Outreach Program- My Community My Water for \$7,700.

Commissioner Cieslak motioned to approve Resolution 2017-24. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-24

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN BUTLER, FAIRMAN, AND SEUFERT, INCORPORATED AND THE SANITARY DISTRICT OF HIGHLAND TO PERFORM PROFESSIONAL ENGINEERING SERVICES TO IMPLEMENT THE TOWN OF HIGHLAND, MS4 EDUCATION AND OUTREACH PROGRAM- MY COMMUNITY MY WATER

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Town of Highland is subject to the requirements of the National Pollutant Discharge Elimination System (NPDES), part of the Clean Water Act 33 U.S.C. §1251 et seq. (CWA); and

Whereas, The Indiana Department of Environmental Management has promulgated rules under 327 IAC 15-13 (Rule 13) concerning the development and implementation of a Storm Water Quality Management Plan (SWQMP) that became effective August 6, 2003; and

Whereas, the SWQMP requires the implementation of a six (6) element program, of which, one is Public Education/Outreach and the second is Public Participation /Involvement; and

Whereas, Butler, Fairman, and Seufert, Inc. has submitted an Agreement for consideration by the District to provide engineering consulting services to the District in implementing the Minimum Control Measures (MCM's) as outlined in Appendix "A" of said Agreement; and

Whereas, the Sanitary Board of Commissioners believe that engaging Butler, Fairman, and Seufert, Inc. for assistance in complying with Public Education/Outreach and Public Participation/Involvement will be a cost effective means of fulfilling their obligations and requirement as set forth by Storm Water Phase II, Rule 13; and

Whereas, the Butler Fairman, and Seufert, Inc. has prepared the Agreement that sets forth the terms and conditions thereof and Sanitary District of Highland, through its Board of Sanitary Commissioners now desires to accept and approve the agreement for services as therein described.

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Professional Design Engineering Agreement (incorporated by reference and made a part of this resolution) between Butler, Fairman, and Seufert, Incorporated, and the Sanitary District of Highland for **Professional Engineering Services associated with MS4 Compliance Assistance on MCM 1 and MCM2** for a lump sum amount of Seven Thousand Seven Hundred Dollars and no cents (\$7,700.00), to be paid in two annual installments of Three Thousand Eight Hundred Fifty Dollars and No Cents (\$3,850.00) is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for professional engineering services are found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that Butler Fairman and Seufert, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 16th day of May 2017. Having been passed by a vote of 5 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

4. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-25*

A Resolution Accepting and Awarding the Bid of Grimmer Construction Co., Inc. for the Johnston Street Sanitary Sewer Project in the Amount of \$572,593.00.

Commissioner Cieslak motioned to approve Resolution 2017-25. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2017-25

A RESOLUTION AWARDING A BID TO GRIMMER CONSTRUCTION COMPANY, INCORPORATED FOR THE JOHNSTON STREET SANITARY SEWER REPLACEMENT PROJECT (PROJECT) IN THE TOTAL AMOUNT OF \$572,593.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The District, through its Board of Sanitary Commissioners, has heretofore determined a need to replace an existing eight inch (8") sanitary sewer in the 8100-8300 blocks of Johnston Street and the adjoining eight inch (8") laterals sewers serving the 3500 blocks of 81st Street, Duluth Place, Eder Place, and the 3400 block of Grand Boulevard owing to their deficiency and deteriorated conditions, which allow for extraordinary inflow/infiltration to the sanitary sewer system; and

Whereas, The District had engaged Robinson Engineering, LTD. to prepare plans and specifications for the Project on behalf of the Sanitary District and the Project was bid in accordance with IC 36-1-12 *et seq.* and notice was published in accordance with IC 5-3-1; and

Whereas, the following bids were received at 10:00 a.m. on May 11, 2017:

Dyer Construction Company	\$672,035.00
Grimmer Construction, Incorporated	\$572,593.00
Rex Construction Company, Incorporated	\$582,804.50

Whereas, the Sanitary District Superintendent and Robinson Engineering, LTD. have reviewed the bids and determined that the bid of Grimmer Construction, Incorporated in the amount of Five Hundred Seventy-Two Thousand Five Hundred Ninety-Three Dollars and 00/100 (\$572,593.00) to be the lowest responsive and responsible bid, and

Whereas, there are sufficient and available appropriations balances on hand in the Sanitary District Capital Fund to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept the bid and award the Project to Grimmer Construction, Incorporated.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

1. That the bid of Grimmer Construction, Incorporated in the amount of Five Hundred Seventy-Two Thousand Five Hundred Ninety-Three Dollars and 00/100 (\$572,593.00) for the Johnston Street Sanitary Sewer Project is hereby accepted as the lowest responsive and responsible bid;
2. That the Sanitary District Superintendent is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 16th day of May, 2017. Having been passed by a vote of 5 in favor and 0 opposed.

HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

New Business: None

Reports: None

Comments from the Commissioners: None

Business from the Floor:

1. Mark Herak questioned how the Main Street development would tie into the sanitary sewer. There was discussion. Ultimately, the volume increase must comply with the Subdivision Control Ordinance for the sanitary sewer. Commissioner DeGiulio-Fox questioned the disposal of fluids from the veterinarian hospital.

Claims:

Fund 040	Sanitary Operating	\$176,174.88
Fund 044	San Dist Capital	\$21,448.25
Fund 070	Sewage Operating	\$205,070.63
	TOTAL	\$402,693.76

Commissioner Jones made a motion to approve payment of the claims in the amount of \$402,693.76. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were five (5) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Regular Public Meeting Session will be held Tuesday, June 20, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner DeGiulio-Fox moved to adjourn. Commissioner Cieslak seconded. The motion passed. Meeting adjourned at 7:25 p.m.

Respectfully Submitted;

Laura Pramuk, Recording Secretary

**MINUTES OF THE SPECIAL PUBLIC MEETING
HIGHLAND SANITARY DISTRICT
BOARD OF SANITARY COMMISSIONERS
TUESDAY, JUNE 6, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland met in a Special Public Meeting on Tuesday, June 6, 2017, at 7:05 p.m., in the Town Council conference room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, with Commissioner Garcia presiding. The meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Rex Burton, Greg Cieslak, David Jones, Kathy DeGiulio-Fox, and Richard Garcia. Absent: None. Also present were Derek Snyder of NIES Engineering, Inc.; John Bach, Director of Public Works; Robert Tweedle, Sanitary District Attorney; Robert Johnsen, Assistant Public Works Director; and Michael Griffin, Clerk-Treasurer.

The minutes were recorded by John Bach, Recording Secretary, *Pro Tempore*.

Special Orders:

1. Sanitary District of Highland, Board of Sanitary Commissioners, Reolution No. 2017-26, A CONFIRMATORY RESOLUTION OF THE BOARD OF SANITARY COMMISSIONERS OF THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND, INDIANA, APPROVING A PROJECTS OF THE SANITARY DISTRICT, CONFIRMING ITS DECLARATORY RESOLUTION AND ALL MATTERS RELATED THERETO

a. Proofs of Publication – Attorney Tweedle advised that the Proofs of Publication were lawfully published and in compliance with IC 5-3-1.

b. Public Hearing – Commissioner Garcia called the public hearing to order. There were no comments or remonstrances. Commissioner Garcia closed the public hearing.

c. Consideration of Resolution 2017-26. Commissioner Cieslak moved to approve Resolution No. 2017-26. Commissioner Jones seconded. No discussion. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

HIGHLAND SANITARY DISTRICT, INDIANA

RESOLUTION NO. 2017-26

**CONFIRMATORY RESOLUTION OF THE BOARD OF SANITARY COMMISSIONERS OF
THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND, INDIANA, APPROVING A
PROJECTS OF THE SANITARY DISTRICT, CONFIRMING ITS DECLARATORY
RESOLUTION AND ALL MATTERS RELATED THERETO**

WHEREAS, pursuant to IC 36-9-25 (the "Act"), the Board of Sanitary Commissioners (the "Board") of the Sanitary District of the Town of Highland, Indiana (the "District") owns and operates a sanitary system to serve and benefit the residents of the District and the Town of Highland, Indiana; and

WHEREAS, the Board adopted its Declaratory Resolution on May 16, 2017 (the "Declaratory Resolution") declaring the Board's intent to proceed with a sewage works improvement project for use by the District, consisting of the reimbursement of the Hammond Sanitary District for the costs of improvements to Hammond's sewage treatment plant, in consideration of the contractual right of the District to a specified percentage of the capacity thereof (the "Contract Rights"), and all costs related thereto, including expenses in connection with or on account of the issuance of bonds for the financing thereof (collectively, the "Project"), as described in the Declaratory Resolution; and

WHEREAS, the Board has published notice of a public hearing on the Declaratory Resolution, and matters addressed therein, in accordance with the Act; and

WHEREAS, a public hearing was held on the Declaratory Resolution, and matters addressed therein, on June 6, 2017, at which time the Board heard all parties requesting to be heard and considered all written remonstrances, if any, that had been filed; and

WHEREAS, the Board desires to proceed with the acquisition of the Contract Rights for the reasons and benefits set forth therein;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE HIGHLAND
SANITARY DISTRICT, AS FOLLOWS**

:

Section 6. The Declaratory Resolution adopted by the Board on May 16, 2017, is hereby confirmed, and the acquisition of the Contract Rights is hereby declared to be of public utility and benefit and is hereby approved.

Section 7. The officers and representatives of the District and any member of the Board are hereby authorized, empowered and directed, on behalf of the District, to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolutions, and any actions heretofore made or taken be, and hereby are, ratified and approved.

Section 8. This resolution shall be in full force and effect from and after its adoption.

Passed and adopted by the Board on the 6th day of June, 2017.

**BOARD OF SANITARY COMMISSIONERS
OF THE HIGHLAND SANITARY DISTRICT**

/s/Richard Garcia, President
/s/Greg Cieslak, Vice President
/s/David Jones, Member
/s/Rex Burton, Member
/s/Kathy DeGuilio-Fox

2. Sanitary District of Highland, Board of Sanitary Commissioners, Resolution No. 2017-27, A RESOLUTION APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET FOR THE SANITARY DISTRICT SPECIAL PAYMENT FUND, PURSUANT TO I.C. 6-1.1-18, I.C. 36-9-25 ET SEQ.

a. Proofs of Publication – Attorney Tweedle advised that the Proofs of Publication were lawfully published and in compliance with IC 5-3-1.

b. Public Hearing – Commissioner Garcia called the public hearing to order. There were no comments or remonstrances. Commissioner Garcia closed the public hearing.

C. Consideration of Resolution 2017-27. Commissioner DeGuilio-Fox moved to approve Resolution No. 2017-27. Commissioner Cieslak seconded. No discussion. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

**TOWN of HIGHLAND
BOARD of SANITARY COMMISSIONERS
DEPARTMENT OF PUBLIC SANITATION AND SANITARY DISTRICT
SANITARY DISTRICT APPROPRIATION RESOLUTION NO. 2017-27**

A RESOLUTION APPROPRIATING ADDITIONAL MONEYS IN EXCESS of the ANNUAL BUDGET for the SANITARY DISTRICT SPECIAL PAYMENT FUND, PURSUANT to I.C. 6-1.1-18, I.C. 36-9-25 ET SEQ.

WHEREAS, The Board of Sanitary Commissioners (the “Board”) of the Department of Public Sanitation and its Sanitary District of the Town of Highland, Indiana (the “District”) proposes to issue one or more series of bonds pursuant to I.C. 36-9-25-31 (the “Bonds”), in order to finance expenses not chargeable to the cost of any property acquired or work done under a resolution of the Board for which (other) bonds of the District are issued, together with any costs related thereto;

WHEREAS, The Board is advised that in order to expend the proceeds of the bonds, an additional appropriation hearing and authorization is necessary, notwithstanding I.C. 36-9-25-37, which states that “*all money raised under this chapter (I.C. 36-9-25) is considered appropriated to the respective purposes stated ...*”;

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Sanitary District Special Payment Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this resolution, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 6-1.1-18, I.C. 36-9-25-28;

NOW, THEREFORE BE IT HEREBY RESOLVED by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the fund herein named and for the purposes herein specified, subject to the laws governing the same:

SANITARY DISTRICT CAPITAL FUND:

Acct. 0XX-0000-3303-0017	Legal Advisory Services	\$ 13,800
Acct. 0XX-0000-3304-0017	Fiscal Advisory Services	\$ 5,000
Acct. 0XX-0000-3999-0017	True up Settlement	\$ 981,200
Total Series		\$ 1,000,000

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these moneys be made available for expenditure pursuant to I.C. 6-1.1-18.

Duly Passed and Adopted this 6th Day of June 2017, by the Board of Sanitary Commissioners of the Town of Highland, Indiana. Having passed by a vote of 5 in favor and 0 opposed, all pursuant to I.C. 36-9-25 and I.C. 6-1.1-18 et seq.

**BOARD of SANITARY COMMISSIONERS
TOWN of HIGHLAND, INDIANA**

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

3. Sanitary District of Highland, Board of Sanitary Commissioners, Resolution No. 2017-28, A RESOLUTION APPROPRIATING ADDITIONAL MONEYS IN EXCESS of the ANNUAL BUDGET for the SANITARY DISTRICT CAPITAL FUND, PURSUANT to I.C. 6-1.1-18, I.C. 36-9-25 ET SEQ.

a. Proofs of Publication – Attorney Tweedle advised that the Proofs of Publication were lawfully published and in compliance with IC 5-3-1.

b. Public Hearing – Commissioner Garcia called the public hearing to order. There were no comments or remonstrances. Commissioner Garcia closed the public hearing.

c. Consideration of Resolution 2017-28. Commissioner Jones moved to approve Resolution No. 2017-28. Commissioner Cieslak seconded. No discussion. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

TOWN of HIGHLAND
BOARD of SANITARY COMMISSIONERS
DEPARTMENT OF PUBLIC SANITATION AND SANITARY DISTRICT
SANITARY DISTRICT APPROPRIATION RESOLUTION NO. 2017-28

A RESOLUTION APPROPRIATING ADDITIONAL MONEYS IN EXCESS of the ANNUAL BUDGET for the SANITARY DISTRICT CAPITAL FUND, PURSUANT to I.C. 6-1.1-18, I.C. 36-9-25 ET SEQ.

WHEREAS, The Board of Sanitary Commissioners (the “Board”) of the Department of Public Sanitation and its Sanitary District of the Town of Highland, Indiana (the “District”) proposes to issue one or more series of bonds pursuant to I.C. 36-9-25 (the “Bonds”), in order to finance the acquisition and/or construction of all or a portion of various sanitary district sewage works improvements and equipment in the District together with any costs related thereto;

WHEREAS, The Board is advised that in order to expend the proceeds of the bonds, an additional appropriation hearing and authorization is necessary, notwithstanding I.C. 36-9-25-37, which states that *“all money raised under this chapter (I.C. 36-9-25) is considered appropriated to the respective purposes stated ...”*;

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Sanitary District Capital Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this resolution, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 6-1.1-18, I.C. 36-9-25-28;

NOW, THEREFORE BE IT HEREBY RESOLVED by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart of the fund herein named and for the purposes herein specified, subject to the laws governing the same:

SANITARY DISTRICT CAPITAL FUND:

Acct. 044-0000-3303-0017	Legal Advisory Services	\$	55,200
Acct. 044-0000-3304-0017	Fiscal Advisory Services	\$	20,000
Total Series		\$	<u>75,200</u>
Acct. 044-0000-49999-0017	Past Capital Contribution	\$	3,924,800
Total Series		\$	<u>3,924,800</u>
Total for the Fund		\$	<u>4,000,000</u>

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these moneys be made available for expenditure pursuant to I.C. 6-1.1-18.

Duly Passed and Adopted this 6th Day of June 2017, by the Board of Sanitary Commissioners of the Town of Highland, Indiana. Having passed by a vote of 5 in favor and 0 opposed, all pursuant to I.C. 36-9-25 and I.C. 6-1.1-18 et seq.

**BOARD of SANITARY COMMISSIONERS
 TOWN of HIGHLAND, INDIANA**

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

4. Sanitary District of Highland, Board of Sanitary Commissioners, Resolution No. 2017-29, A RESOLUTION OF THE BOARD OF SANITARY COMMISSIONERS OF THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND, INDIANA, AUTHORIZING THE ISSUANCE OF BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO BE APPLIED TO PAY FOR PROJECTS AND INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE BONDS. Commissioner DeGuilio-Fox moved to approve Resolution No. 2017-29. Commissioner Burton seconded. No discussion. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

**HIGHLAND SANITARY DISTRICT, INDIANA
 RESOLUTION NO. 2017-29**

RESOLUTION OF THE BOARD OF SANITARY COMMISSIONERS OF THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND, INDIANA, AUTHORIZING THE ISSUANCE OF BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO BE APPLIED TO PAY FOR PROJECTS AND INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE BONDS

WHEREAS, on May 3, 2017, after notice and public hearing thereon, the Board of Sanitary Commissioners (the “Board”) of the Town of Highland, Indiana, Sanitary District (the “District”) being the governing body of the District, adopted a Preliminary Determination Resolution to issue bonds for a capital project, as described below (the “Series 2017B Bonds”, as more fully described below) in an amount not to exceed \$4,000,000; and

WHEREAS, on May 16, 2017, the Board adopted a Declaratory Resolution (the “Declaratory Resolution”) declaring that it is necessary for the public health and welfare and will be of public utility and benefit to finance a project consisting of the acquisition of certain contract rights from the Hammond Sanitary District (the “Capital Project”); and (3) any costs related thereto; and

WHEREAS, on June 6, 2017, after notice and public hearing thereon, the Board confirmed the Declaratory Resolution by the adoption of a Confirmatory Resolution (the “Confirmatory Resolution”); and

WHEREAS, the Board finds that notice of the determination to issue the 2017B Bonds was duly published and mailed as provided by law and no petition requesting the application of the petition-remonstrance process has been filed and the time for filing such petition has expired; and

WHEREAS, the cost of the Capital Project, including estimated incidental expenses, is in an estimated amount not to exceed Four Million Dollars (\$4,000,000); and

WHEREAS, the Board hereby finds that it is necessary for the public health and welfare and will be of public utility and benefit to finance a working capital project consisting of the payment of certain true-up costs to the Hammond Sanitary District (the "Working Capital Project"); and (3) any costs related thereto;

WHEREAS, the Board finds that the District has insufficient funds on hand to apply to the cost of the Capital Project and that it is necessary to finance the costs of the Capital Project by the issuance of bonds in an aggregate amount not to exceed \$4,000,000; and

WHEREAS, the Board finds that the District has insufficient funds on hand to apply to the cost of the Working Capital Project and that it is necessary to finance the costs of the Working Capital Project by the issuance of taxable bonds in an aggregate amount not to exceed \$1,250,000; and

WHEREAS, it is necessary that a series of bonds of the District Town be issued in the aggregate amount not to exceed \$4,000,000 to provide funds to pay such estimated costs of the Capital Project and the incidental expenses to be incurred in connection with the Capital Project and with the issuance of a series of bonds therefor (the "Series 2017B Bonds"); and

WHEREAS, it is necessary that a series of taxable bonds of the District be issued in the aggregate amount not to exceed \$1,250,000 to provide funds to pay such estimated costs of the Working Capital Project and the incidental expenses to be incurred in connection with the Working Capital Project and with the issuance of a series of taxable bonds therefor (the "Series 2017A Bonds" and, together with the Series 2017B Bonds, the "Bonds"); and

WHEREAS, the Bonds shall be payable from a special tax to be levied upon all of the property in the District, and such special tax shall be collected and applied to the payment of the principal of and interest on the Bonds; and

WHEREAS, the Board now finds that all conditions precedent to the adoption of a resolution authorizing the issuance of the Bonds have been complied with in accordance with the provisions of IC 36-9-25 and IC 6-1.1-20, each as in effect on the date hereof (the "Act");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE HIGHLAND SANITARY DISTRICT, AS FOLLOWS:

Section 1. Determination to Proceed: Authorization and Details of Series 2017 Bonds. (a) The Board shall proceed to undertake the acquisition of the Capital Project as set out in the Declaratory Resolution as confirmed by the Confirmatory Resolution and in accordance with the Act.

(b) In order to procure funds with which to pay the estimated costs of the Capital Project, including the costs of issuance of bonds on account thereof, the Clerk-Treasurer (the "Clerk-Treasurer") of the Town of Highland, Indiana (the "Town") is authorized and directed to have prepared and to issue and sell bonds on behalf of the District, to be designated as the "Town of Highland, Indiana, Sanitary District Bonds, Series 2017B" (the "Series 2017B Bonds") in the aggregate principal amount not to exceed \$4,000,000. The Series 2017B Bonds shall be sold at a price of not less than 100% of the par value thereof and issued in fully registered form in the denomination of \$100,000 or integral multiples of \$1,000 in excess thereof and shall bear interest at a rate or rates not exceeding five percent (5%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semiannually on February 1 and August 1 of each year, beginning not sooner than February 1, 2018. Interest will be calculated on the basis of twelve 30-day months for a 360 day year. The Series 2017B Bonds shall mature or be subject to mandatory sinking fund redemption semiannually on February 1 and August 1 of each year over a period not to exceed ten (10) years from the date of delivery thereof and in such amounts as the Clerk-Treasurer shall determine on behalf of the District prior to the sale of the Series 2017B Bonds. All or a portion of the Series 2017B Bonds may be issued as one or more term bonds, upon election of the successful bidder. Such term bonds shall have a stated maturity or maturities of February 1 or August 1 as determined by the successful bidder, but no later than the final maturity and on dates consistent with the principal payment schedule to be established as described above. The term bonds shall be subject to mandatory sinking fund redemption

and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on dates consistent with the schedule to be established as set out above.

(c) In order to procure funds with which to pay the estimated costs of the Working Capital Project, including the costs of issuance of bonds on account thereof, the Clerk-Treasurer is authorized and directed to have prepared and to issue and sell bonds on behalf of the District, in one or more series, to be designated as the "Town of Highland, Indiana, Taxable Sanitary District Bonds, Series 2017A" (the "Series 2017A Bonds") (the Series 2017B Bonds and the 2017A Bonds, collectively, the "Bonds") in the aggregate principal amount not to exceed \$1,250,000. The Series 2017A Bonds shall be sold at a price of not less than 100% of the par value thereof and issued in fully registered form in the denomination of \$1000,000 or integral multiples of \$1,000 in excess thereof and shall bear interest at a rate or rates not exceeding five percent (5%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semiannually on February 1 and August 1 of each year, beginning not sooner than February 1, 2018. Interest will be calculated on the basis of twelve 30-day months for a 360 day year. The Series 2017A Bonds shall mature or be subject to mandatory sinking fund redemption semiannually on February 1 and August 1 of each year over a period not to exceed three (3) years from date of delivery and in such amounts as the Clerk-Treasurer shall determine on behalf of the District prior to the sale of the Series 2017A Bonds. All or a portion of the Series 2017A Bonds may be issued as one or more term bonds, upon election of the successful bidder. Such term bonds shall have a stated maturity or maturities of February 1 or August 1 as determined by the successful bidder, but no later than the final maturity and on dates consistent with the principal payment schedule to be established as described above. The term bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on dates consistent with the schedule to be established as set out above.

(d) The Clerk-Treasurer is authorized, on behalf of the Board, to select and appoint a qualified financial institution to serve as Registrar and Paying Agent for the Bonds, which Registrar is hereby charged with the responsibility of authenticating the Bonds (the "Registrar" or "Paying Agent"). The Clerk-Treasurer is hereby authorized, on behalf of the Board, to enter into such agreements or understandings with such bank as will enable the bank to perform the services required of a Registrar and Paying Agent. The Clerk-Treasurer is further authorized to pay such fees as the bank may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the fund established to pay the principal of and interest on the Bonds.

(e) If the purchaser of the Bonds does not object to such designation, the Clerk-Treasurer may serve as Registrar and Paying Agent.

(f) The principal of the Bonds shall be payable at the designated office of the Paying Agent and all payments of interest on the Bonds shall be paid by check mailed one business day prior to the interest payment date to the registered owners thereof, as of the fifteenth day of the month immediately preceding such interest payment date ("Record Date"), at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner on or before such Record Date.

All payments on the Bonds shall be made in any coin or currency of the United States of America that, on the date of such payment, shall be legal tender for the payment of public and private debts.

(g) Each Bond shall be transferable or exchangeable only upon the books of the Town kept for that purpose at the principal office of the Registrar by the registered owner or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount, of the same maturity and of the same series, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The Town, Board, Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

(h) The Bonds shall bear an original date which shall be the date of delivery and each Bond shall also bear the date of its authentication. Bonds authenticated on or before the Record Date immediately preceding the first interest payment date shall be paid interest from the original date. Bonds authenticated thereafter shall be paid interest from the interest payment date to which interest has been paid as of the date on which such Bonds are authenticated unless the Bonds are authenticated between the Record Date and the interest payment date, in which case interest thereon shall be paid from such

interest payment date. If at the time of authentication of any Bond interest is in default thereon, such Bond shall bear interest from the date to which interest has been paid in full.

(i) The Bonds shall be signed in the name of the Town of Highland, Indiana by the manual or facsimile signature of the Town Council President and attested by the manual or facsimile signature of the Clerk-Treasurer, who shall affix the seal of the Town manually or shall have the seal, imprinted, engraved or otherwise reproduced thereon. Said Bonds shall be authenticated with the manual signature of an authorized representative of the Registrar, and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon shall have been so executed. Said Bonds shall, subject to registration provisions, be negotiable under the laws of the State of Indiana.

(j) The Bonds, as to both principal and interest, shall be payable from and secured by an irrevocable pledge of a special tax to be levied upon all taxable property in the District in an amount and manner sufficient to meet and pay the principal of and interest on the Bonds as the same become due. The District shall not be obligated to pay the Bonds or the interest thereon except from such special tax levied by the Board, and the Bonds shall not constitute an indebtedness or general obligation of the Town within the meaning of the provisions and limitations of the constitution of the State of Indiana, but shall constitute an indebtedness of the District, as a special taxing district.

Section 2. Redemption of Bonds. (a) The Series 2017A Bonds shall not be subject to optional redemption prior to maturity.

(b) The Series 2017B Bonds are redeemable at the option of the District, but not later than ten (10) years from the date of delivery and on any date thereafter, on thirty (30) days' notice, in whole or in part, in the order of maturity as determined by the Board, and by lot within a maturity, at par, plus in each case accrued interest to the date fixed for redemption, without premium. The exact redemption dates shall be determined by the Clerk-Treasurer with the advice of the District's financial advisor prior to the sale of the Series 2017B Bonds.

If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the District, any Bonds of a series maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond maturing as a term bond so delivered or canceled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds of a series to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit such Bonds maturing as term bonds only to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date.

Each authorized denomination amount shall be considered a separate bond for purposes of optional and mandatory redemption. If less than an entire maturity of Bonds of a series is called for redemption, the Bonds to be called for redemption shall be selected by lot by the Registrar. If some Bonds of a series are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Bonds for optional redemption before selecting the Bonds by lot for the mandatory sinking fund redemption.

(c) In either case, notice of such redemption shall be given at least thirty (30) days prior to the date fixed for redemption by mail unless the notice is waived by the registered owner of a Bond. Such notice shall be mailed to the address of the registered owners as shown on the registration records of the District as of the date which is forty-five (45) days prior to such redemption date. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption shall be determined by the District. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the principal office of the Paying Agent to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the Bonds so called for redemption shall be surrendered for cancellation.

Section 3. Form of Bond. The form of the Bonds shall be substantially as follows, all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery:

UNITED STATES OF AMERICA
STATE OF INDIANA

COUNTY OF LAKE

TOWN OF HIGHLAND, INDIANA
[TAXABLE] SANITARY DISTRICT BOND, SERIES 2017[A/B]

Maturity Date	Interest Rate	Original Date	Authentication Date	CUSIP
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REGISTERED OWNER:

PRINCIPAL SUM:

The Town of Highland in Lake County, Indiana, for and on behalf of the Sanitary District of the Town of Highland, Indiana (the "District"), acknowledges itself indebted, and for value received hereby promises to pay, but only from the source and in the manner herein provided, to the Registered Owner or registered assigns, the Principal Sum set forth above on the Maturity Date set forth above (unless this 2017[A/B] Bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest hereon at the Interest Rate per annum stated above from the interest payment date to which interest has been paid next preceding the Authentication Date of this 2017[A/B] Bond unless this 2017[A/B] Bond is authenticated after the fifteenth day of the month preceding such interest payment date and on or before such interest payment date, in which case it shall bear interest from such interest payment date, or unless this 2017[A/B] Bond is authenticated on or before _____ 15, 201_. in which case it shall bear interest from the Original Date, until the principal is paid, which interest is payable semiannually on February 1 and August 1 in each year, beginning on _____ 1, 201_.

The principal of this 2017[A/B] Bond is payable at the designated office of _____ in the _____ of _____, _____, (hereinafter referred to as the "Paying Agent" or "Registrar"). The principal of and interest on this 2017[A/B] Bond shall be paid by check mailed by first class mail one business day prior to the interest payment date to the Registered Owner hereof as of the fifteenth day of the month immediately preceding such interest payment date at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the Registered Owner. All payments on this 2017[A/B] Bond shall be made in any coin or currency of the United States of America that, on the dates of such payment, shall be legal tender for the payment of public and private debts.

This 2017[A/B] Bond is one of an authorized series of bonds of the Sanitary District of the Town of Highland, Indiana, designated "[Taxable] Sanitary District Bonds, Series 2017[A/B]," aggregating \$ _____, issued concurrently with the issuance of the Town of Highland, Indiana, [Taxable] Sanitary District Bonds, Series 2017[A/B] for the purpose of procuring funds to be applied to the cost of certain Sanitary District projects, and the incidental expenses in connection therewith, all as more particularly described in the Bond Resolution adopted by the Board of Sanitary Commissioners of the Town of Highland, Indiana, Sanitary District on June 6, 2017 (the "Resolution"), authorizing the issuance and sale of bonds of said Town for the purpose of procuring funds for said projects of the District, and in accordance with the provisions of Indiana law, including without limitation Ind. Code § 36-9-25, as in effect on the date of delivery of the bonds of this issue, and other applicable laws, as amended (collectively, the "Act").

[The 2017A Bonds are not subject to optional redemption prior to maturity.]

[The 2017B Bonds are redeemable on _____ 1, 20____, or any date thereafter, at the option of the District, on thirty (30) days' written notice, in whole or in part, in the order of maturity as determined by the District and by lot within a maturity, at face value, plus in each case accrued interest to the date fixed for redemption, without premium.]

[The 2017[A/B] Bonds maturing on _____ 1, 20____ are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest, on the dates and in the amounts set forth below:

Date	Amount
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* Final Maturity]

Each One Hundred Thousand Dollars (\$100,000) principal amount shall be considered a separate bond for purposes of redemption. If less than an entire maturity is called for redemption, the 2017B Bonds to be called for redemption shall be selected by lot by the Registrar. [If some 2017B Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the 2017B Bonds for optional redemption before selecting the 2017B Bonds by lot for the mandatory sinking fund redemption.]

Notice of redemption shall be mailed to the address of the registered owner as shown on the registration record of the Registrar, as of the date which is forty-five (45) days prior to the date fixed for redemption, not less than thirty (30) days prior to such redemption date, unless said notice is waived by the registered owner of this 2017A/B] Bond. Any notice shall specify the date and place of redemption and sufficient identification of the 2017[A/B] Bonds called for redemption. The place of redemption may be determined by the District. Interest on the 2017[A/B] Bonds so called for redemption shall cease on the redemption date

fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price, including interest accrued to the redemption date, on the date so named. Failure to give such notice by mailing, or any defect in such notice, with respect to any bond shall not affect the validity of any proceedings for redemption of other 2017[A/B] Bonds.

If this 2017[A/B] Bond shall not be presented for payment or redemption on the date fixed therefor, the Town may deposit in trust with its depository bank, an amount sufficient to pay such 2017[A/B] Bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment, and the District shall have no further obligation or liability in respect thereto.

This 2017[A/B] Bond is transferable or exchangeable only upon the books of the Town kept for that purpose at the office of the Registrar, by the Registered Owner hereof or by its attorney duly authorized in writing, upon surrender of this 2017[A/B] Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new fully registered 2017[A/B] Bond or 2017[A/B] Bonds in the same aggregate principal amount and of the same maturity and series, shall be executed and delivered in the name of the transferee or transferees or to the Registered Owner, as the case may be, in exchange therefor. The District, the Registrar and any Paying Agent for this 2017[A/B] Bond may treat and consider the person in whose name this 2017[A/B] Bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The 2017[A/B] Bonds are subject to defeasance prior to payment or redemption as provided in the Resolution, and the owner of this 2017[A/B] Bond, by the acceptance hereof, hereby agrees to all the terms and provisions contained in the Resolution.

The 2017[A/B] Bonds maturing in any one year are issuable only in fully registered form in the denomination of \$1,000 or integral multiples thereof not exceeding the aggregate principal amount of the 2017[A/B] Bonds maturing in such year.

Pursuant to the provisions of the Act and the Resolution, the principal of and interest on this 2017[A/B] Bond and all other bonds of said issue are payable as special taxing district obligations of the District, as a special taxing district, from a special *ad valorem* property tax to be levied on all taxable property within the District. THIS 2017[A/B] BOND DOES NOT CONSTITUTE A CORPORATE OBLIGATION OR INDEBTEDNESS OF THE TOWN OF HIGHLAND, INDIANA, BUT IS AN INDEBTEDNESS OF THE DISTRICT, AS A SPECIAL TAXING DISTRICT. NEITHER THE FULL FAITH AND CREDIT NOR THE TAXING POWER OF TOWN OF HIGHLAND, INDIANA IS PLEDGED TO PAY THE INTEREST OR PREMIUM ON OR THE PRINCIPAL OF THIS 2017[A/B] BOND.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this 2017[A/B] Bond have been done and performed in regular and due form as provided by law; and that this 2017[A/B] Bond and the total issue of the 2017[A/B] Bonds is within every limit of indebtedness as prescribed by the constitution and laws of the State of Indiana.

This 2017[A/B] Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the Board of Sanitary Commissioners of the Town of Highland, Indiana, Sanitary District, in Lake County, Indiana, has caused this 2017[A/B] Bond to be executed in the name of the Town of Highland for and on behalf of the Sanitary District of said Town, by the manual or facsimile signature of the Town Council President, and the seal of said Town (or a facsimile thereof) to be affixed, imprinted, engraved or otherwise reproduced hereon and attested by the manual or facsimile signature of the Clerk-Treasurer.

TOWN OF HIGHLAND, INDIANA

By:

Town Council President

(SEAL)

ATTEST:

Clerk-Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

It is hereby certified that this 2017[A/B] Bond is one of the 2017[A/B] Bonds described in the within-mentioned Resolution duly authenticated by the Registrar.

_____ as Registrar

By:

Authorized Representative

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this 2017[A/B] Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

- TEN. COM. as tenants in common
- TEN. ENT. as tenants by the entireties
- JT. TEN. as joint tenants with right of survivorship and not as tenants in common
- UNIF. TRANS.
- MIN. ACT

_____ Custodian _____
(Cust) (Minor)

under Uniform Transfers to Minors Act _____ (State)

Additional abbreviations may also be used although not in the above list.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ (Please Print or Typewrite Name and Address and Social Security or Other Identifying Number) \$ _____ principal amount (must be a multiple of \$100,000) of the within 2017[A/B] Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney to transfer the within 2017[A/B] Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within 2017[A/B] Bond in every particular, without alteration or enlargement or any change whatever.

(End of Bond Form)

Section 4. Sale of Bonds. (a) Prior to the sale of the Bonds, the Clerk-Treasurer shall cause to be published a notice of intent to sell bonds in one newspaper published in Lake County with general circulation in the Town and the Court & Commercial Record, all in accordance with IC 5-1-11 and IC 5-3-1. Said notice shall state the purpose for which the Bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the Clerk-Treasurer deems necessary. The successful purchaser shall be required to submit to the District a certified or cashier's check or a financial surety bond (or

wire transfer such amount as instructed by the District) within 24 hours after the bid is accepted. In the event the successful bidder shall fail or refuse to accept delivery of the Bonds and pay for the same as soon as the Bonds are ready for delivery, or at the time fixed in the notice, then said check or surety bond and the proceeds thereof shall be the property of the District and shall be considered as its liquidated damages on account of such default.

All bids for the Bonds shall be sealed and shall be presented to the Clerk-Treasurer and all bids offered shall be received until the hour on the day fixed for the sale. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, not exceeding five percent (5%) per annum, and such interest rate or rates shall be in multiples of one-eighth (1/8) or one-hundredth (1/100) of one percent (1%). The rate bid on any maturity of a series shall be equal to or greater than the rate bid on the immediately preceding maturity of such series. No conditional bid or bid for less than 100% of the face amount of the Bonds of such series will be considered.

The Town may also receive bids on the Bonds via electronic bidding. The Clerk-Treasurer shall award the Bonds of a series to the bidder who offers the lowest net interest cost to the District, computed by determining the total interest on all of the Bonds of such series to the maturities and deducting therefrom the premium bid, if any, and adding thereto the discount bid, if any. The Clerk-Treasurer shall have full right to reject any and all bids. In the event no acceptable bid is received at the time of the sale of the Bonds, the Clerk-Treasurer shall be authorized to continue to receive bids from day to day thereafter for a period not to exceed thirty (30) days, without readvertising, but during such continuation, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time fixed for such sale. No conditional bid or bid for less than all of the Bonds of a series will be received.

(b) In the event the financial advisor to the Board certifies to the Town that it would be economically advantageous for the District to acquire a municipal bond insurance policy for the Bonds, the Board hereby authorizes the Clerk-Treasurer, in its discretion, to obtain such an insurance policy. If such insurance policy is purchased, the Clerk-Treasurer, on behalf of the District, is hereby authorized to execute and deliver all agreements with the provider of the policy to the extent necessary to comply with the terms of such insurance policy and the commitment to issue such policy.

Prior to the delivery of the Bonds, the Clerk-Treasurer shall obtain a legal opinion as to the validity of the Bonds from Barnes & Thornburg LLP, bond counsel, of Indianapolis, Indiana, and shall furnish such opinion to the purchaser of the Bonds. The cost of said opinion shall be considered as part of the costs incidental to these proceedings and shall be paid out of proceeds of the Bonds.

Section 5. Preparation of and Payment for Bonds. The Clerk-Treasurer is hereby authorized and directed to have the Bonds prepared, and the Town Council President and the Clerk-Treasurer are hereby authorized and directed to execute said Bonds in the form and manner herein provided. The Clerk-Treasurer is hereby authorized and directed to deliver said Bonds to the purchaser thereof after sale made in accordance with the provisions of this resolution, provided that at the time of said delivery the Clerk-Treasurer shall collect the full amount which the purchaser has agreed to pay therefor, which amount shall not be less than 100% of the face value of said Bonds.

Section 6. Defeasance. (a) If, when the Bonds issued hereunder or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds or any portion thereof then outstanding shall be paid, or (i) sufficient moneys, or (ii) direct, non-callable obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of special taxes to be levied upon all property in the District.

Section 7. Deposit and Application of Bond Proceeds; Surplus to Bond Fund. The Clerk-Treasurer is hereby authorized and directed to deposit the proceeds of each series of Bonds in a separate fund ("Project Fund") to pay for: (1) the costs of the Capital Project or the Working Capital Project, as appropriate, and all other costs and expenses incurred in connection therewith; and (2) costs of issuance of such series of Bonds. Neither the Capital Project Fund nor the Working Capital Project Fund may be used for any other purpose. Each of the Capital Project Fund and the Working Capital Project Fund shall, in accordance with IC 5-13, be deposited with the depository or depositories of other public funds of the District, and all interest collected thereon belongs to such fund. Any surplus remaining from the proceeds of the Bonds after all costs and expenses are fully paid shall either be (1) paid into and become a part of the Sanitary District Bond Fund for either the Series 2017B Bonds or the Series 2017A Bonds, as appropriate (the applicable "Bond Fund") or (2) used in accordance with IC 5-1-13. Monies contained

in the Capital Project Fund, the Working Capital Project Fund and the applicable Bond Fund shall be invested to the extent permitted by law.

Section 8. Accrued Interest. The accrued interest received at the time of delivery of the Bonds, if any, shall be deposited in the applicable Bond Fund and used to pay interest on the Series 2017B Bonds or the Series 2017A Bonds, as appropriate.

Section 9. Pledge of Special Tax: Tax Levy and Bond Fund. In order to provide for the payment of the principal of and interest on the Bonds, there is hereby pledged and there shall be levied in each year upon all taxable property in the District a special tax in an amount and in such manner sufficient to meet and pay the principal of and interest on the Bonds as the same become due (the "Special Tax"). The Special Tax shall be deposited into the applicable Bond Fund. The District shall, from the sums deposited in the applicable Bond Fund, remit promptly to the registered owner or to the bank fiscal agency sufficient moneys to pay the principal and interest on the due dates thereof together with the amount of bank fiscal agency charges. The District may elect to pay principal and interest on the Bonds from any funds legally available to the District for such purpose, but the District is obligated to pay the principal and interest on the Bonds only from the Special Tax.

Section 10. Tax Covenants and Representations. In order to preserve the exclusion of interest on the Series 2017B Bonds from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the Series 2017B Bonds ("Code"), and as an inducement to purchasers of the Series 2017B Bonds, the Board represents, covenants and agrees that:

(a) The Capital Project will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity, other than the Town, the District or another state or local governmental unit, will use more than 10% of the proceeds of the Series 2017B Bonds or property financed by the proceeds other than as a member of the general public. No person or entity other than the Town, the District, or another state or local governmental unit will own property financed by Series 2017B Bond proceeds or will have actual or beneficial use of such property pursuant to a lease, a management, service or incentive payment contract, an arrangement, including a take-or-pay or other type of output contract, or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from the use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Series 2017B Bonds. If the District enters into a management contract for the sewage works, the terms of the contract will comply with IRS Revenue Procedure 2016-44, as it may be amended, supplemented or superseded for time to time, so that the contract will not give rise to private business use under the Code and the Regulations, unless such use in aggregate relates to no more than 10% of the proceeds of the Series 2017B Bonds.

(b) No more than 10% of the principal of or interest on the Series 2017B Bonds is (under the terms of the Series 2017B Bonds, this resolution or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for private business use or payments in respect of such property, or to be derived from payments (whether or not to the Town, the District, or the Board) in respect of such property or borrowed money used or to be used for a private business use.

(c) No more than 5% of the Series 2017B Bond proceeds will be loaned to any entity or person other than another state or local governmental unit. No more than 5% of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a non-governmental person in any manner that would in substance constitute a loan of the Series 2017B Bond proceeds.

(d) The Board reasonably expects, as of the date hereof, that the Series 2017B Bonds will not meet either the private business use test described in paragraphs (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the Series 2017B Bonds.

(e) No more than 5% of the proceeds of the Series 2017B Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The Board represents that it will rebate all arbitrage profits to the United States of America as may be required in accordance with the Code.

(g) The Board will not take any action or fail to take any action with respect to the Series 2017B Bonds that would result in the loss of the exclusion from gross income for federal tax purposes of interest on the Series 2017B Bonds under Section 103 of the Code, nor will the Town or the District act in any other manner which would adversely affect such exclusion; and the District will not make any investment or do any other act or thing during the period that the Series 2017B Bonds are outstanding that would cause the Series 2017B Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code. The Town and the District covenant and agree not to enter into any contracts or arrangements which would cause the Series 2017B Bonds to be treated as private activity bonds under Section 141 of the Code.

(h) It shall not be an event of default under this resolution if the interest on the Series 2017B Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Series 2017B Bonds.

(i) All officers, members, employees and agents of the District and the Town are authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the District as of the date the Series 2017B Bonds are issued and to enter into covenants on behalf of the District evidencing the District’s commitments made herein. In particular, all or any members or officers of the District or officers of the Town are authorized to certify and enter into covenants for the District regarding the facts and circumstances and reasonable expectations of the District on the date the Series 2017B Bonds are issued and the commitments made by the District herein regarding the amount and use of the proceeds of the Series 2017B Bonds.

(j) These covenants are based solely on current law in effect and in existence on the date of delivery of such Bonds.

Section 11. Tax Exemption. Notwithstanding any other provisions of this resolution, the covenants and authorizations contained in this resolution (“Tax Sections”) which are designed to preserve the exclusion of interest on the Series 2017B Bonds from gross income under federal law (“Tax Exemption”) need not be complied with if the District receives an opinion of nationally recognized bond counsel that any Tax Section or portion thereof is unnecessary to preserve the Tax Exemption.

Section 12. Resolution to be Filed with Clerk-Treasurer. The Secretary to the Board of Sanitary Commissioners is hereby directed to file a certified copy of this resolution with the Clerk-Treasurer for preparation of the Bonds.

Section 13. Debt Limit Not Exceeded. The District represents and covenants that the Bonds herein authorized, when combined with other outstanding indebtedness of the District, will not exceed any applicable constitutional or statutory limitation on the District’s indebtedness.

Section 14. Severability. If any section, paragraph or provisions of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section 15. Repeal of Conflicting Provisions: Amendments to Resolution. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are, to the extent of such conflict, hereby repealed and/or amended.

Subject to the terms and provisions contained in this Section, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds issued pursuant to this resolution and then outstanding shall have the right, from time to time, to consent to and approve the adoption by the Board of such resolution or resolutions supplemental hereto as shall be deemed necessary or desirable by the Board for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this resolution, or in any supplemental resolution; provided, however, that nothing herein contained shall permit or be construed as permitting;

(a) An extension of the maturity of the principal of or interest on any Bond issued pursuant to this resolution; or

- (b) A reduction in the principal amount of any Bond or the rate of interest thereon; or
- (c) A preference or priority of any Bond or Bonds issued pursuant to this resolution over any other Bond or Bonds issued pursuant to the provisions of this resolution; or
- (d) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental resolution; or
- (e) The extension of mandatory sinking fund redemption dates, if any.

If the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental resolution shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Secretary of the Board, no owner of any Bond issued pursuant to this resolution shall have any right to object to the adoption of such supplemental resolution or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Board or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental resolution pursuant to the provisions of this Section, this resolution shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this resolution of the Board and all owners of Bonds issued pursuant to the provisions of this resolution then outstanding, shall thereafter be determined, exercised and enforced in accordance with this resolution, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this resolution, the rights and obligations of the Town, the Board and of the owners of the Bonds authorized by this resolution, and the terms and provisions of the Bonds and this resolution, or any supplemental resolution, may be modified or altered in any respect with the consent of the Board and the consent of the owners of all the Bonds issued pursuant to this resolution then outstanding.

Section 16. Parties Interested Herein. Nothing in this resolution expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the Town, the District and the registered owners of the Bonds, any right, remedy or claim under or by reason of this resolution or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this resolution contained by and on behalf of the Town and District shall be for the sole and exclusive benefit of the Town, the District and the registered owners of the Bonds.

Section 17. Effective Date. This resolution shall be in full force and effect immediately upon its passage.

Passed and adopted by the Board on the 6th day of June, 2017.

**BOARD OF SANITRY COMMISSIONERS
OF THE HIGHLAND SANITARY DISTRICT**

/s/Richard Garcia, President
/s/Greg Cieslak, Vice President
/s/David Jones, Member
/s/Rex Burton, Member
/s/Kathy DeGuilio-Fox

NEXT MEETINGS: The next Public Meeting will held at 7:00 p.m. on Tuesday, June 20, 2017, following a study session at 6:30 p.m.

ADJOURNMENT: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Cieslak moved to adjourn. Commissioner DeGuilio-Fox seconded. On a vote *viva voce*, the motion passed. Meeting adjourned at 7:17 p.m.

Respectfully Submitted,

John M. Bach, Recording Secretary, *Pro Tempore*

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY JUNE 20, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, June 20, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Rex Burton, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, Mark Knesek from Public Works.

1. The problem at 9410 Erie Street was discussed the primary problem is the property is lower than the other properties.
2. Tom Goolick of 3548 Highway Avenue filled his pool in April and was inquiring why he had sewer charges. The commissioners responded he filled his pool during non-summer rates and the charges were appropriate.

The study session ended at 7:00 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, June 20, 2017, 7:05 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Rex Burton, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, Mark Knesek of Public Works, and Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: May 15, 2017 of the Regular Public Meeting are posted as written.

Special Orders: None

Communications:

1. A letter from Derek Snyder of NIES Engineering dated May 9, 2017 regarding Pay Request 1 for the Annual Service Agreement 3 for the Sanitary Manhole Rehabilitation in the amount of \$39,005.55 and payment to Spectra Tech LLC in the amount of \$4,333.95.

General Orders and Unfinished Business:

1. Action to approve payment to Spectra Tech, LLC in the amount of \$39,005.55 and to Spectra Tech, LLC retainage account \$4,333.95 for Sanitary Manhole Rehabilitation – 2016 Work Order #1.

Commissioner Jones made a motion for payment. Commissioner DeGiulio-Fox seconded. Upon a roll call vote there were four (4) affirmative and no (0) negatives. The motion passed 4-0.

New Business:

1. Commissioner Burton made a motion to authorize payment for sewer lining from Institutform Technologies, USA for payment in the amount of \$401,686.20 and \$44,631.80 for retainage. Commissioner Jones second. Upon a roll call vote there were four (4) affirmative and no (0) negatives. The motion passed 4-0.

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$178,129.88
Fund 044	San Dist Capital	\$513,043.97
Fund 070	Sewage Operating	\$393,252.98
<u>Fund 072</u>	<u>Sewage Improvement</u>	<u>\$43,257.92</u>
	TOTAL	\$1,127,684.75

Commissioner Jones made a motion to approve payment of the claims in the amount of \$1,127,684.75. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were four (4) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Regular Public Meeting Session will be held Tuesday, July 18, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Burton moved to adjourn. Commissioner Jones seconded. The motion passed. Meeting adjourned at 7:10 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately after the Public Meeting on Tuesday, June 20, 2017, in the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Present at the study session on silent roll call were Commissioners Rex Burton, Richard Garcia, David Jones and Kathy DeGiulio-Fox. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, Mark Knesek of Public Works, and Mark Herak, Town Council.

Staff Reports:

1. Derek Snyder of NIES Engineering report the remaining downtown sewer separation project is the Dairy alley and the regrade of the alley. Lincoln Street Pump Control project still waiting on equipment.
2. Michael Griffin was not present.
3. Robert Tweedle advised the Board there would be a conference call with DOJ/EPA/IDEM on

June 21. The in person meeting was changed to a conference call because Hammond was not ready.

Next Meeting: The next scheduled study session on July 4, 2017 has been cancelled. The next regularly scheduled Regular Public Meeting Session will be held Tuesday, July 20, 2017 7:00 p.m., following an executive session at 6:30 p.m.

The meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY JULY 18, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, July 18, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Rex Burton, Greg Cieslak, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen from Public Works.

1. Derek Snyder gave a status update on Cardinal Campus the development at Indianapolis Blvd and Main St. it will have its second plat approval meeting on July 19, 2017. The problem at 9410 Erie Street was discussed. Johnson and Martha Streets are moving forward. The Lincoln St. pump station is waiting on the control panel and it is expected mid-August.

The study session ended at 7:00 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, July 18, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Rex Burton, Greg Cieslak, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: June 20, 2017 of the Regular Public Meeting are posted as written.

Special Orders: None

Communications:

1. A letter from Derek Snyder of NIES Engineering dated July 11, 2017 regarding Pay Request 2 - for the Annual Service Agreement CIPP Lining of Sanitary Sewers for payment to Insituform Technologies in the amount of \$350,140.77.
2. A letter from Derek Snyder of NIES Engineering dated July 11, 2017 regarding Pay Request 2 – for the Annual Service Agreement Sanitary Manhole Rehabilitation for payment to Spectra Tech in the amount of \$58,056.75.

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-30*

A RESOLUTION AMENDING THE 2017 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID FROM ITS SEWAGE WORKS IMPROVEMENT FUND

Commissioner DeGiulio-Fox motioned to approve Resolution 2017-30. Commissioner Burton seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

**SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
CAPITAL BUDGET RESOLUTION NO. 2017-30**

A RESOLUTION AMENDING THE 2017 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID FROM ITS SEWAGE WORKS IMPROVEMENT FUND

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Board of Sanitary Commissioners in performing its duties, now determines that passage and adoption of a Capital Budget Resolution amending a 2017 Capital Budget to be paid from funds of the Sanitary District to be necessary for the sound management and control of the sewage works and performing its duty to construct, reconstruct, operate, repair, and maintain all sewage works.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That for the Capital expenses as hereinafter identified of said District, the following allowances for the identified sums of money are hereby fixed and ordered set apart for the purposes herein specified to be paid from Sanitary District Sewage Works Improvement Fund:

Liabile Road Ditch Improvements (PE)	\$12,500.00
Liabile Road Ditch Improvements (CN)	\$25,000.00

Total Allowances as fixed for this Fund \$37,500.00

Section 2. That the Municipal Fiscal Officer is instructed and authorized to assign such accounts and establish such financial reporting methodology as to permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 3. That the Superintendent of the Sanitary District is instructed and authorized to prepare accounts payable for projects identified herein in such a manner as to support and permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 4. That there shall be no capital expenditure for the identified projects in excess of the amounts fixed by this resolution without express action by the Board of Sanitary Commissioners, revising the amount fixed and authorizing the additional allowance amount;

Section 5. That any prior Capital Budget duly adopted by resolution and as amended from time to time is hereby repealed and replaced to include the Capital expenses identified herein.

Section 6. That this Resolution shall be effective immediately upon its passage and adoption by the Board of Sanitary Commissioners and may be amended or repealed by subsequent resolution duly passed and adopted.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 18th day of July, 2017. Having been passed by a vote of 5 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary of the Board of Sanitary Commissioners

2. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-32*

A RESOLUTION AWARDING A CONTRACT TO BROWN EQUIPMENT FOR THE PURCHASE OF ONE TRAILER MOUNTED LEAF LOADER IN THE TOTAL AMOUNT OF \$56,470.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Commissioner Cieslak motioned to approve Resolution 2017-32. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

New Business:

1. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-31*

RESOLUTION AUTHORIZING, AND APPROVING THE PAYMENT OF \$17,940 AS AN ELECTIVE CONTRIBUTION to the UNSAFE BUILDING FUND OF THE TOWN OF HIGHLAND AS AN ACTION OF GOODWILL FOR TO COVER CERTAIN DEMOLITION EXPENSES FOR WHICH UNSAFE BUILDING LIENS WERE IN PLACE BUT WERE REMOVED

IN THE PROCESS OF THE DEPARTMENT’S ACQUISITION THROUGH A COMMISSIONER’S TAX SALE

Commissioner Burton motioned to approve Resolution 2017-31. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were five (5) affirmatives and no (0) negatives. The motion passed.

TOWN of HIGHLAND
BOARD of SANITARY COMMISSIONERS
DEPARTMENT OF PUBLIC SANITATION AND SANITARY DISTRICT
SANITARY DISTRICT RESOLUTION No. 2017 -31

RESOLUTION AUTHORIZING, AND APPROVING THE PAYMENT OF ELECTIVE CONTRIBUTION to the UNSAFE BUILDING FUND OF THE TOWN OF HIGHLAND AS AN ACTION OF GOODWILL FOR TO COVER CERTAIN DEMOLITION EXPENSES FOR WHICH UNSAFE BUILDING LIENS WERE IN PLACE BUT WERE REMOVED IN THE PROCESS OF THE DEPARTMENT’S ACQUISITION THROUGH A COMMISSIONER’S TAX SALE.

Whereas, The Highland Town Board of Trustees, as legislative body of the municipality, enacted Ordinance No. 586, July 21, 1969, establishing the Board of Sanitary Commissioners and the Department of Public Sanitation, pursuant to provisions of I.C. 36-9-25-1 through 36-9-25-42 as amended;

Whereas, The Highland Town Council, as legislative body of the municipality, acted to enact Chapter 12.10 of the Highland Municipal Code, establishing the Board of Sanitary Commissioners and the Department of Public Sanitation, pursuant to provisions of I.C. 36-9-25-1 through 36-9-25-42 as amended;

Whereas, Indiana Code Title 36, Article 9, chapter 25, section 10 (16) further provides that the Board of Sanitary Commissioners may adopt resolutions, rules and bylaws that are necessary to carry out this chapter, including repealing or amending them consistent with IC 36-9-25;

Whereas, The Board of Sanitary Commissioners did acquire certain properties at a tax sale, made pursuant to IC 6-1.1-24 et seq., for which there was a concurrent Unsafe Building Enforcement, involving demolition of the unsafe buildings and resulting in a court ordered lien to recover costs associated with the enforcement action;

Whereas, The sale was made with the liens as encumbrances removed, pursuant to IC 6-1.1-24-6.1;

Whereas, The Town of Highland, Department of Building and Inspection, by its Building Commissioner did request in writing that if lawful, the Board authorize the payment of the fees associated with the demolitions on the certain properties for which liens were filed pursuant to IC 36-7-9 et seq., but owing to the nature of the tax sale, were removed as encumbrances on the property and thereby not collected in the purchase price;

Whereas, The Board authorized and did sell these same properties, acquiring proceeds from the sale, for which it wishes to use in support of an elective payment to the Town of Highland’s Unsafe Building Fund, in the amount of the costs of demolition that were in consequence of the unsafe building enforcement, but lost owing to procedures employed in the tax sale;

Whereas, The Superintendent recommends that if lawful, the Board takes steps to make the payments as requested by the Building Commissioner on behalf of the Building and Inspection Department, and that it be paid into the Unsafe Building Fund;

Whereas, The Board of Sanitary Commissioners has reviewed the matter, and now desires to make findings and determinations related to these recommendations and requests and to favor the recommendation of the Superintendent and request of the Building Commissioner,

Now Therefore Be it hereby Resolved by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That Board of Sanitary Commissioners, pursuant to its powers, express or implied under IC 36-9-

25, hereby makes the following findings and determinations:

(A) The Board of Sanitary Commissioners did acquire certain properties at a tax sale, made pursuant to IC 6-1.1-24 et seq., for which there was a concurrent Unsafe Building Enforcement, involving demolition of the unsafe buildings and resulting in a court ordered lien to recover costs associated with the enforcement action;

(B) That these properties are identified and located at the following locations:

- (1) 8943 Grace Street, Highland, Indiana;
- (2) 3425 Laverne Drive, Highland, Indiana;

(C) That in consequence of the concurrent unsafe building enforcement actions, buildings on the properties were demolished and costs of enforcement were properly recorded as liens pursuant to IC 36-7-9 et seq.;

(D) That these costs of enforcement that were properly recorded as liens pursuant to IC 36-7-9, endorsed by court orders, are identified for the following properties at the specific amounts:

- (1) 8943 Grace Street, costs of \$11,745;
- (2) 3425 Laverne Drive, costs of \$5,450;

(E) The particular tax sale by which the Board acquired the properties was made with the liens as encumbrances removed, pursuant to IC 6-1.1-24-6.1, and therefore, the municipality did not recover its costs for deposit to the Unsafe Building Fund;

(F) That the Board authorized and did sell these same properties, acquiring proceeds from the sale, in the following amounts:

- (1) 8943 Grace Street, \$25,000 on December 19, 2017;
- (2) 3425 Laverne Drive, \$17,940 on April 19, 2017;

(G) That the proceeds from the sale of the property are hereby deemed to be money raised pursuant to and in furtherance of the purposes of IC 36-9-25 et seq., and that the District and Department of Public Sanitation did benefit from the receipt of the properties, free from the unsafe buildings, owing to the demolition on the properties owing to the municipal unsafe building enforcements;

(H) That the Board has complete and exclusive authority to expend money raised under IC 36-9-25 for the purposes provided;

(I) That the Town of Highland maintains an Unsafe Building Fund, pursuant to IC 36-7-9-14, enabled under Section 15.30.070 of the Municipal Code;

(J) That IC 36-7-9-14(b) provides that money for the Unsafe Building Fund may received from any source, including appropriations by local, state, or federal governments; and,

(K) That the board finds and determines that the elective payment to the unsafe building fund of the municipality, in an amount equal to recover the waived lien amounts, in furtherance of goodwill with the municipality, is a lawful exercise of authority of the board under IC 36-9-25;

Section 2. That Board hereby authorizes and directs that the Town of Highland, be paid an elective contribution in the amount of \$17,195, which is the sum of the two, unrecovered liens, to be payable to and deposited in the Unsafe Building Fund;

Section 3. That the Board of Sanitary Commissioners hereby further finds and determines that the forgoing activities and items of expense are lawful and proper expenses incurred under the authority of IC 36-9-25, Sections 9 and 10;

Section 4. That the authorizing orders of the court relative to the unsafe building liens are hereby incorporated and made exhibits of the this resolution;

Section 5. That the Clerk-Treasurer is hereby authorized and instructed to prepare sufficient accounts payable vouchers against the appropriate fund and accounts and to take such other measures to carry-out the purposes and objects of this order;

Duly Passed and Adopted by the Board of Sanitary Commissioners of the Department of Public Sanitation and Sanitary District, Lake County, Indiana this 18th day of July, 2017 by a vote of 5 in favor and 0 opposed, as amended.

THE SANITARY DISTRICT of HIGHLAND
BY ITS BOARD of COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary of the Board of Sanitary Commissioners

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$178,792.69
Fund 044	San Dist Capital	\$1,044,281.60
Fund 070	Sewage Operating	\$313,807.27
	<u>TOTAL</u>	<u>\$1,536,881.56</u>

Commissioner Jones made a motion to approve payment of the claims in the amount of \$1,536,881.56. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were five (5) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Regular Public Meeting Session will be held Tuesday, August 15, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Burton moved to adjourn. Commissioner Jones seconded. The motion passed. Meeting adjourned at 7:10 p.m. followed by an Executive Session at 7:15 p.m.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY AUGUST 15, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, August 15, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Kathy DeGiulio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen from Public Works.

Derek Snyder gave a status update on sewer maintenance plan. He also updated the Board on the current projects including the Lincoln Street pump control project which is now complete and operational. There was discussion regarding the 9410 Erie Street backyard drainage problem.

The study session ended at 7:00 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, August 15, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Kathy DeGuilio-Fox, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works and Mark Herak, Town Council and Susan Franzetti, attorney.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: June 6, 2017 of the Special Public Meeting and the July 18, 2017 Regular Public meeting are posted as written.

Special Orders:

1. Public Hearing to Consider Proposed Additional Appropriations.

Action on Appropriation Resolution No. 2017-33: A Resolution Appropriating Additional Moneys in Excess of the Annual Budget for the Sanitary District Capital Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5. Proposed in Excess of the 2017 Budget for the Sanitary District Capital Fund in the amount of \$284,595 and in the Sanitary District Special Payment Fund in the amount of \$24,000.

Robert Tweedle confirmed proof of publication for the bond issue.

The Public Hearing opened. Commissioner Garcia asked for comments in favor or against from the public three times. Hearing no comment from the public, the public hearing was closed.

Commissioner Cieslak motioned to approve Resolution 2017-33. Commissioner DeGuilio-Fox seconded.

Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

TOWN of HIGHLAND
BOARD of SANITARY COMMISSIONERS
DEPARTMENT OF PUBLIC SANITATION AND SANITARY DISTRICT
SANITARY DISTRICT APPROPRIATION RESOLUTION NO. 2017-33

A RESOLUTION APPROPRIATING ADDITIONAL MONEYS IN EXCESS of the ANNUAL BUDGET for the SANITARY DISTRICT SPECIAL PAYMENT FUND, PURSUANT to I.C. 6-1.1-18, I.C. 36-9-25 ET SEQ.

WHEREAS, The Board of Sanitary Commissioners (the "Board") of the Department of Public Sanitation and its Sanitary District of the Town of Highland, Indiana (the "District") proposes to issue one or more series of bonds pursuant to I.C. 36-9-25-31 (the "Bonds"), in order to finance expenses not chargeable to the cost of any property acquired or work done under a resolution of the Board for which (other) bonds of the District are issued, together with any costs related thereto;

WHEREAS, The Board is advised that in order to expend the proceeds of the bonds, an additional appropriation hearing and authorization is necessary, notwithstanding I.C. 36-9-25-37, which states that "*all money raised under this chapter (I.C. 36-9-25) is considered appropriated to the respective purposes stated ...*";

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Sanitary District Special Payment Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this resolution, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 6-1.1-18, I.C. 36-9-25-28;

NOW, THEREFORE BE IT HEREBY RESOLVED by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Sanitary District Capital Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

SANITARY DISTRICT CAPITAL FUND

Increase:

Acct. 044-0000-39999-9999	Transfer IC 5-1-13-2	\$ 284,595.00
		Total: \$ 284,595.00

Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Sanitary District Special Payment Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

SANITARY DISTRICT SPECIAL PAYMENT FUND

Increase:

Acct. 049-0000-39999-0017	True up Settlement	\$14,970.00
Acct. 049-0000-39999-9999	Transfer IC 5-1-13-2	\$9,030.00
		Total: \$ 24,000.00

Section 3. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these moneys be made available for expenditure pursuant to I.C. 6-1.1-18.

Duly Passed and Adopted this 15th Day of August 2017, by the Board of Sanitary Commissioners of the Town of Highland, Indiana. Having passed by a vote of 4 in favor and 0 opposed, all pursuant to I.C. 36-9-25 and I.C. 6-1.1-18 et seq.

**BOARD of SANITARY COMMISSIONERS
TOWN of HIGHLAND, INDIANA**

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

Communications:

1. A letter from Derek Snyder of Nies Engineering dated August 1, 2017 status report.
2. A letter from Derek Snyder of Nies Engineering dated August 2, 2017 Pay request 3 for annual service agreement 3 sanitary manhole rehabilitation for the amount of \$41,436.00
3. A letter from James Mandon of Robinson Engineering dated August 2 regarding the Johnston Street sanitary sewer project construction engineering services – supplement 1 for additional \$5000.00
4. A letter from Thomas Gordon of Christopher B Burke Engineering dated August 3, 2017 regarding Pay Request 2 – Martha Street Storm Sewer Improvement Project the amount of \$94,742.59.
5. A letter from Sedrick Green Jr of Robinson Engineering dated August 6, 2017 for the Johnston

Street sanitary sewer between Grand Blvd and 81st St in the amount of \$108,906.21

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-34*

A Resolution Authorizing and Approving an Agreement between London Witte Group, LLP and the Town of Highland Sanitary District to Provide Professional Financial Advisory Services for the Preparation of a Financial Capability Assessment Report

Commissioner Cieslak motioned to approve Resolution 2017-34. On advice of the Clerk-Treasurer, the Resolution was not considered, pending a revision to the Agreement.

2. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-35*

A Resolution Authorizing and Approving an Addendum to the Agreement between Robinson Engineering, LTD and the Sanitary District of Highland to perform Engineering Services during Construction in support Johnston Street Sanitary Sewer Project

Commissioner Cieslak motioned to approve Resolution 2017-35. Commissioner Jones seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

**SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2017-35**

A Resolution Authorizing and Approving an Addendum to the Agreement between Robinson Engineering, LTD and the Sanitary District of Highland to perform Engineering Services during Construction in support Johnston Street Sanitary Sewer Project

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The District, through its Board of Sanitary Commissioners, has heretofore determined a need to replace an existing eight inch (8") sanitary sewer in the 8100-8300 blocks of Johnston Street and the adjoining eight inch (8") laterals sewers serving the 3500 blocks of 81st Street, Duluth Place, Eder Place, and the 3400 block of Grand Boulevard owing to their deficiency and deteriorated conditions, which allow for extraordinary inflow/infiltration to the sanitary sewer system; and has implemented the Johnston Street Sanitary Sewer Project (Project), and

Whereas, On May 16, 2017, the District had engaged Robinson Engineering, LTD (Robinson) to perform professional engineering services during construction in consideration for fees to be charged and billed monthly based upon a lump sum of

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the value of the services associated with the District work completed, in an amount not to exceed Twenty-two Thousand Three Hundred Fifty Dollars and No cents (\$22,350.00); and

Whereas, The original "Scope of Work" contemplated part-time inspection and, at the behest of the Sanitary District Superintendent, Robinson was instructed to provide full-time inspection on the Project; and

Whereas, Robinson has prepared and offered Supplement No. 1 to the Agreement, which amends the original Agreement to include full-time inspection services for an additional not-to-exceed amount of Five Thousand Dollars and no Cents (\$5,000.00); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

Section 1. That Supplement No. 1 to the original Agreement for Professional Engineering Services during Construction (incorporated by reference and made a part of this resolution) between Robinson Engineering, LTD and the Sanitary District of Highland for the sewer work associated with the Johnston Street Sanitary Sewer Project is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under Supplement No. 1 for construction engineering services associated with the work authorized by the Sanitary District for an additional fee in the not to exceed amount of exceed Five Thousand Dollars and No cents (\$5,000.00) is found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that Robinson Engineering, LTD has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 15th day of August 2017. Having been passed by a vote of 4 in favor and 0 opposed.

HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

3. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-36

A Resolution Accepting and Approving an Agreement between Christopher B. Burke Engineering, LTD and the Sanitary District of Highland to perform Professional Engineering Services associated with the Wirth Road Concept Drainage Design

Commissioner Cieslak motioned to approve Resolution 2017-36. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion

passed.

Sanitary District of Highland
Board of Sanitary Commissioners
Resolution No. 2017-36

A Resolution Accepting and Approving an Agreement between Christopher B. Burke Engineering, LTD and the Sanitary District of Highland to perform Professional Engineering Services associated with the Wirth Road Concept Drainage Design

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has heretofore determined that a need exists to evaluate and remedy certain flooding conditions along Wirth Road between Grace Street and O'Day Drive, including LaVerne Drive, east of Grace Street; and

Whereas, on June 6, 2017, the Board of Sanitary Commissioners met with Jeff Julkowski of Christopher B. Burke Engineering, LTD to discuss flooding issues along Wirth Road between Grace Street and O'Day Drive, including LaVerne Drive, east of Grace Street in order to establish a scope of services necessary to prepare a proposal for the investigation and study; and

Whereas, Christopher B. Burke Engineering, LTD (CBBEL) has offered and presented a proposal for professional engineering services for the **Wirth Road Concept Drainage Design** Investigation for an initial not-to-exceed fee of Twenty-four Thousand Five Hundred Dollars and no cents (\$28,500.00); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Professional Engineering Agreement (incorporated by reference and made a part of this resolution) between Christopher B. Burke Engineering, LTD and the Sanitary District of Highland for the **Wirth Road Concept Drainage Design** is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for professional engineering services in the amount of Twenty-Eight Thousand Five Hundred Dollars and no cents (\$24,500.00) are found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that Christopher B. Burke Engineering, LTD has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 15th day of August 2017. Having been passed by a vote of 4 for and 0 opposed.

**The Sanitary District of Highland
BY ITS BOARD OF COMMISSIONERS:**

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

4. Action to Approve Pay Request No. 2 to Grimmer Construction for the Martha Street Storm Sewer Improvement Project in the amount of \$94,742,59.

Commissioner DeGiulio-Fox motioned to approve. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

5. Action to Approve Pay Request No. 1 to Grimmer Construction for the Johnston Street Sanitary Sewer Project in the amount of \$108,906.21

Commissioner Jones motioned to approve. Commissioner DeGiulio-Fox seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

New Business: None

Reports: None

Comments from the Commissioners:

Commissioner Cieslak asked if photographs are possible for capital requests? A photograph would help simplify the process.

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$134,308.35
Fund 042	San Dist BD & Int	\$850.00
Fund 044	San Dist Capital	\$163,775.04
Fund 070	Sewage Operating	\$201,308.21
<u>Fund 072</u>	<u>Sewage Improv</u>	<u>\$13,104.56</u>
	TOTAL	\$513,346.16

Commissioner Jones made a motion to approve payment of the claims in the amount of \$513,346.16. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Public Meeting Session will be held, Tuesday, September 19, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Jones moved to adjourn. Commissioner Cieslak seconded. The motion passed.

Meeting adjourned at 7:20 p.m. The Board convened in an Executive Session immediately following the public meeting.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY SEPTEMBER 19, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, September 19, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, Bob Johnsen from Public Works, Michael Griffin, Clerk/Treasurer and Mark Herak, Town Council.

Derek Snyder advised Instituform is unable to hold their prices for 2018 and their work will need to be rebid. The sewer separation at the dairy, there will be a construction quote in two weeks and possible to be complete by the end of the year. The expense tracking for the Martha and Johnson Street projects were issued by Derek. Spectra-Tech has extended their prices to 2018. Derek suggested lining the catch basins is a preventative maintenance action.

The study session ended at 7:00 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, September 19, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, Bob Johnsen of Public Works and Mark Herak, Town Council and Michael Griffin, Clerk/Treasurer.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: The August 15, 2017 Regular Public meeting minutes are posted as written.

Special Orders: None

Communications:

1. A letter from Derek Snyder of Nies Engineering dated September 8, 2017 recommending the release of retainage to Spectra Tech, LLC.

2. A letter from Thomas Gordon, from Christopher B Burke Engineering, LTD dated September 8, 2017, regarding Pay Estimate #3, Matha Street Storm Sewer Improvement Project in the amount of \$307,619.89.

General Orders and Unfinished Business:

1. *ACTION TO ACCEPT THE RECOMMENDATION OF NIES ENGINEERING, INC. TO ACCEPT THE WORK OF SPECTRA-TECH, INC. FOR THE SANITARY MANHOLE REHABILITATION PROJECT AND TO RELEASE (TO SPECTRA-TECH) RETAINAGE HELD ON ACCOUNT IN THE AMOUNT OF \$15,388.70.*

Commissioner Burton motioned to approve the recommendation. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

2. TOWN COUNCIL OF THE TOWN OF HIGHLAND, ENACTMENT NUMBER 2017-33 ACTION TO APPROVE AND CERTIFY THE TRANSFER FROM THE SANITARY DISTRICT SEWAGE CASH RESERVE FUND IN THE AMOUNT OF \$337,500 TO THE CORPORATION GENERAL FUND.

Commissioner Jones motioned to approve the Town Council Enactment #2017-33. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The Enactment passed.

3. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-34*

A Resolution Authorizing and Approving an Agreement between London Witte Group, LLC., and the Town of Highland, Department of Public Sanitation and Sanitary District to Perform Professional financial Capability Analysis related to Matters involving the U.S. EPA and SSO Plans.

Commissioner Cieslak motioned to approve Resolution 2017-34. Commissioner Jones seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The resolution passed.

4. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-37*

A RESOLUTION Adopting a RULE of the Sanitary District Regarding the Summer Rate Protocol and Utility Customers Who Have Applied for Waiver of Fees under Section 12.15.090 (D) and (E).

Commissioner Cieslak motioned to approve Resolution 2017-37. Commissioner Jones seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

**THE SANITARY DISTRICT of HIGHLAND
BOARD of SANITARY COMMISSIONERS
RESOLUTION No. 2017-37**

A RESOLUTION Adopting a RULE of the Sanitary District Regarding the the Summer Rate Protocol and Utility Customers Who Have Applied for Waiver of Fees under Section 12.15.090 (D) and (E).

WHEREAS, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq; and

WHEREAS, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

WHEREAS, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing and amending them consistent with the Sanitary District Law; and

Whereas, The Board of Sanitary Commissioners recommend and the Town Council adopted by proper ordinance provisions regarding both summer consumption protocol, codified as HMC Section 12.20.340 as well as a waiver of solid waste fees for certain customers, who travel during the winter months, codified as HMC Section 12.15.090 (D)(E);

Whereas, Indiana Code Title 36, Article 9, chapter 25, section 9 further provides that the Board of Sanitary Commissioners has proper jurisdiction to manage and control all sewage works of the District ;

Whereas, The Board of Sanitary Commissioners have been informed that there is a concern regarding the application of the summer rate protocol under HMC Section 12.20.340(B) by customers who also enjoy a solid waste fee waivers under HMC Section 12.15.090 (D) and (E), since there is no consumption registered for customers who have the solid waste fee waivers, which will unduly undercharge for services provided these customers during the summer months;

Whereas, The Board of Sanitary Commissioners now wishes to pass and adopt a **Rule of the Sanitary District** regarding the situation presented, by authorizing and adopting a rule which will apply and mitigate for the undercharges for services that is likely to ensue for customers who have been granted a waiver of solid waste fees in the winter months of November through March, who then are eligible for the Summer consumption protocol, described in HMC Section 12.20.340 (B);

BE IT HEREBY RESOLVED BY the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Board of Sanitary Commissioners now determines, and finds as follows:

(A) That the application of the summer rate protocol under HMC Section 12.20.340(B) by customers who also enjoy a solid waste fee waivers under HMC Section 12.15.090 (D) and (E), since there is no consumption registered for customers who have the solid waste fee waivers, likely will unduly created undercharge for services provided these customers during the summer months, an unintended consequence;

(B) That IC 36-9-25-11(a) provides that fees fixed by the Board must be just and equitable, which undercharging for services does not attain;

(C) That IC 36-9-25-11(b) provides that fees together with taxes fixed by the Board must at all times be sufficient to pay operation, maintenance and administrative expenses, to pay the principal and interest on bonds as they become due and payable, and to provide money for the revolving fund authorized by IC 36-9-25;

Section 2. That the Board of Sanitary Commissioners now desires to adopt a new rule to further perfect the Code of Rules and Regulations which it may have adopted from time to time as well as to further affect the safe, economical and efficient management of the utility and its operation;

Section 3. That the Rules and Regulations of the Department of Sanitation be hereby amended to provide for a new Rule to be adopted which shall read as follows:

Rule 2017-01: Determining Consumption for Consumers who have a solid waste fee waiver under HMC Section 12.15.090 (D) and (E).

(A) That the officer charged with the collection of fees and penalties assessed under IC 36-9-23-33, 34 and IC 36-9-25-11 chapter shall enforce their payment,

(B) Summer Consumption Protocol. In order that single-family residential users of wastewater service shall not be unduly charged for sprinkling their lawns and other summer activities where higher consumption does not have a nexus to cost recovery and wastewater treatment, the following calculation related to consumption shall apply to said single-family residential users:

- (1) The sewer charges for May and June shall be calculated on the basis of water usage in the months of November and December, respectively. The sewer charges for July and August shall be calculated on the basis of water usage in the months of January and February, respectively.
- (2) In the event that the total actual water usage for said months of May, June, July, August and September is less than the total actual water usage for said months of November, December, January, February and March, then the charges for the months of May, June, July, August, September shall be calculated on the basis of the total actual water used in these months. However, if a customer enjoyed a waiver of solid waste fees pursuant to HMC Section 12.15.090 (D) or (E), during any single month, some or all of the months of November, December, January, February and March, the summer consumption protocol shall be the lesser of the actual total actual consumption in the months of May, June, July, August, September or **three (3) thousand gallons**;

(C) That the clerk-treasurer as municipal fiscal officer and the collecting officer, is further hereby directed and authorized to perform such duties and keep such accounts as to fulfill the purpose of and to carry-out the provisions of this resolution;

Section 4. That these rules and regulations shall go into and remain in full force and effect from and after their passage and adoption by the Board of Sanitary Commissioners of the Highland Department of Public Sanitation;

Duly Approved and Adopted by the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana this 19th day of September 2017 by a vote of 4 in favor and 0 opposed.

**THE SANITARY DISTRICT of HIGHLAND
BY ITS BOARD of COMMISSIONERS:**

/s/Richard Garcia, President

Attest:

/s/David Jones, **Secretary**

5. Action to approve Pay Estimate #3 to Grimmer Construction Inc., in the amount of \$307,619.89 for the Martha Street Storm Sewer Improvement Project.

Commissioner Burton motioned to approve Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

New Business: Rehabilitation of the Ridge Road catch basin not to exceed \$160,000. Commissioner Cieslak motioned to approve. Commissioner Jones seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$72,082.99
Fund 042	San Dist BD & Int	\$25.00
Fund 044	San Dist Capital	\$241,104.89
Fund 049	Sanitary Dist Special	\$18,866.77
<u>Fund 070</u>	<u>Sewage Operating</u>	<u>\$304,265.15</u>
	TOTAL	\$636,744.80

Commissioner Jones made a motion to approve payment of the claims in the amount of \$513,346.16. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Public Meeting Session will be held, Tuesday, October 17, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Jones moved to adjourn. Commissioner Cieslak seconded. The motion passed. Meeting adjourned at 7:15 p.m. The Board convened in an Executive Session following the public meeting.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY, OCTOBER 17, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, October 17, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Mark Knesek from Public Works, and Mark Herak, Town Council.

1. John Bach reported Bob Johnsen's administrative role will be learning a GIS system. Classes will be needed. Commissioner Burton commented there is a club he belongs to which focuses on GIS. He also mentioned the system should be cloud based. There are many potential uses for a GIS system to the Town.
2. Brian DeHarness of Commonwealth Engineering reviewed potential plans building a storage tank and the impact. Also additional upgrades were reviewed.

The study session ended at 7:00 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, October 17, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Mark Knesek of Public Works and Mark Herak, Town Council and Michael Griffin, Clerk/Treasurer.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: The September 19, 2017 Regular Public meeting minutes are posted as written.

Special Orders: None

Communications:

1. Letter dated September 15, 2017 from Sedrick Green, Robinson Engineering, LTD, Re: Johnston Street Sanitary Sewer between Grand Boulevard and 81st Street – Payment Request #2 (in the amount of \$420,551.00 to Grimmer Construction, Inc.

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-38

A JOINT ENACTING INSTRUMENT OF THE HIGHLAND SANITARY BOARD OF COMMISSIONERS AND HIGHLAND WATER WORKS BOARD OF DIRECTORS ACCEPTING THE QUOTE OF CHRISTENSON CHEVROLET, INC. OF HIGHLAND FOR ONE (1) 2018 CHEVROLET EXPRESS CG23705-2500 EXTENDED CARGO VAN IN THE AMOUNT OF \$25,600, MINUS THE TRADE OF ONE (1) 2005 CHEVROLET ASTRO VAN OF \$1,600.00, FOR A NET COST OF \$24,000.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Commissioner Cieslak motioned to approve Resolution 2017-38. Commissioner Burton seconded. Commissioner Cieslak requested a 2018 equipment plan be provided. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

TOWN OF HIGHLAND
WATERWORKS BOARD RESOLUTION NO. 2017-22
BOARD OF SANITARY COMMISSIONERS RESOLUTION NO. 2017-38

A JOINT ENACTING INSTRUMENT OF THE HIGHLAND SANITARY BOARD OF COMMISSIONERS AND HIGHLAND WATER WORKS BOARD OF DIRECTORS ACCEPTING THE QUOTE OF CHRISTENSON CHEVROLET, INC. OF HIGHLAND FOR ONE (1) 2018 CHEVROLET EXPRESS CG23705-2500 EXTENDED CARGO VAN IN THE AMOUNT OF

\$25,600, MINUS THE TRADE OF ONE (1) 2005 CHEVROLET ASTRO VAN OF \$1,600.00, FOR A NET COST OF \$24,000.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Whereas, The Town of Highland, Department of Public Works, has determined a need to purchase a Cargo Van in order to carry out its various responsibilities and had prepared specifications for equipment pursuant to that need; and

Whereas, the Public Works Director, pursuant to §3.05.050(D)(1)(6)(7) of the HMC, serves as the Purchasing Agent for the Public Works Department, Highland Sanitary District and Highland Water Works District; and

Whereas, the Purchasing Agent expected that the purchase would be less than \$50,000 and invited quotes in accordance with §3.05.060(G) of the HMC from the following vendors:

<u>Vendor</u>	<u>Make and Model</u>	<u>Cost</u>	<u>Trade-in Value</u>
Christensen Chevrolet, Inc.	2018 Chevrolet Express	\$25,600.00	\$1,600.00
Webb Ford, Inc.	2018 Ford Transit	\$27,649.00	NO TRADE
Art Hill Ford, Inc.	None	NO QUOTE	
Smith Ford, Inc.	None	NO QUOTE	

Whereas, the equipment will be used to support the missions of the Sanitary District, and Waterworks District, and

Whereas, it is prudent and in the best interest of the Highland Sanitary Board of Commissioners and Highland Water Works Board of Directors and the public at large, to support and share the purchase of the equipment, in equal amounts, and

Whereas, the Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Public Sanitation Department; and

Whereas, the Board of Waterworks Directors, pursuant to §3.05.030(D) of the HMC serves as purchasing agency for the Highland Waterworks; and

Whereas, the purchase price exceeds \$15,000.00 and, pursuant to §31.18(C) of the HMC requires the express approval of the purchasing agencies; and

Whereas, the purchase will be supported by the Sewer Improvement Fund and Water Works Improvement Fund and there is sufficient appropriation in order to support the purchase; and

Whereas, the Board of Sanitary Commissioners, and the Highland Waterworks Board of Directors now desire to approve and authorize the Public Works Director to complete the purchase pursuant to the terms stated herein.

Now, Therefore Be it Hereby

Resolved by the Board of Waterworks Directors of the Town of Highland, Lake County, Indiana; and

Resolved by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana;

Section 1. That the quote of Christenson Chevy, Inc. of Highland in the amount of Twenty-five Thousand Six Hundred Dollars and no cents (\$25,600.00) for the purchase of ONE (1) 2018 RETAIL CHEVROLET EXPRESS CG23705-2500 EXTENDED CARGO VAN, LESS THE TRADE-IN OF ONE (1) 2005 CHEVROLET ASTRO VAN IN THE AMOUNT OF ONE THOUSAND SIX HUNDRED DOLLARS AND NO CENTS (\$1,600.00), FOR HE NET AMOUNT OF Twenty-four Thousand Dollars (\$24,000.00) is hereby accepted as the lowest responsive and responsible Quote;

Section 2. That the purchase shall be funded in equal shares (1/2) by the Highland Sanitary Board of Commissioners through the Sanitary District Operating Fund and the Highland Water Works Board of Directors through the Water Works Improvement Fund;

Section 3. That, upon the approval of the Highland Sanitary Board of Commissioners and the Highland Water Works Board of Directors, the Public Works Director is hereby authorized to issue a purchase order to Christenson Chevy, Inc. of Hammond and to execute all documents necessary to implement the purchase thereof;

Duly Adopted and Resolved by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 17th day of October 2017. Having been passed by a vote of 4 in favor and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

DULY ADOPTED AND RESOLVED +by the Board of Waterworks Directors of Highland, Lake County, Indiana, this 28th day of September 2017. Having been passed by a vote of 3 in favor and 0 opposed.

THE WATERWORKS DISTRICT OF HIGHLAND
BY ITS BOARD OF DIRECTORS:

/s/George A. Smith, President

Attest:

/s/George Georgeff, Secretary

2. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-39*

A JOINT ENACTING INSTRUMENT OF THE HIGHLAND SANITARY BOARD OF COMMISSIONERS AND HIGHLAND WATER WORKS BOARD OF DIRECTORS ACCEPTING THE BID OF TRANS CHICAGO TRUCK GROUP OF GARY, IN FOR ONE (1) 2018 FREIGHTLINER M2 106 WITH A SPECIAL SERVICE BODY IN THE AMOUNT OF \$162,737.00, MINUS THE TRADE OF ONE (1) 2007 CHEVROLET EXPRESS BOX TRUCK OF \$4,000.00, FOR A NET COST OF \$158,737.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Commissioner Jones motioned to approve Resolution 2017-39. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

TOWN OF HIGHLAND
WATERWORKS BOARD RESOLUTION NO. 2017-24
BOARD OF SANITARY COMMISSIONERS RESOLUTION NO. 2017-39

A JOINT ENACTING INSTRUMENT OF THE HIGHLAND SANITARY BOARD OF COMMISSIONERS AND HIGHLAND WATER WORKS BOARD OF DIRECTORS ACCEPTING THE BID OF TRANS CHICAGO TRUCK GROUP OF GARY, IN FOR ONE (1) 2018 FREIGHTLINER M2 106 WITH A SPECIAL SERVICE BODY IN THE AMOUNT OF \$162,737.00, MINUS THE TRADE OF ONE (1) 2007 CHEVROLET EXPRESS BOX TRUCK OF \$4,000.00, FOR A NET COST OF \$158,737.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Whereas, The Town of Highland, Department of Public Works, has determined a need to purchase a special service body vehicle in order to carry out its various responsibilities and had prepared specifications for equipment pursuant to that need; and

Whereas, the Public Works Director, pursuant to §3.05.050(D)(1)(6)(7) of the HMC, serves as the Purchasing Agent for the Public Works Department, Highland Sanitary District and Highland Water Works District; and

Whereas, the Purchasing Agent expected that the purchase would be more than \$75,000 and invited bids, pursuant to §31.20(H) of the HMC to be received at 10:00 a.m. on September 22, 2017; and

Whereas, the following bids were received:

Vendor	Make and Model	Cost	Trade-in Value
Trans Chicago Truck Group	2018 Freightliner M2 106	\$162,737.00	\$4,000.00
Rush Truck Center	2018 International 4300 SBA	\$156,336.00	\$1,600.00

Whereas, the Purchasing agent received two bids, Rush Truck Center offered a bid on equipment that deviated from the specification on the equipment that would satisfy the District’s performance expectations; and

Whereas, the equipment will be used to support the missions of the Sanitary District, and Waterworks District; and

Whereas, it is prudent and in the best interest of the Highland Sanitary Board of Commissioners and Highland Water Works Board of Directors and the public at large, to support and share the purchase of the equipment, based on the anticipated work of each department; 25% by the Highland Sanitary Board of Commissioners and 75% by the Highland Water Works Board of Directors; and

Whereas, the Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Public Sanitation Department; and

Whereas, the Board of Waterworks Directors, pursuant to §3.05.030(D) of the HMC serves as purchasing agency for the Highland Waterworks; and

Whereas, the purchase price exceeds \$15,000.00 and, pursuant to §31.18(C) of the HMC requires the express approval of the purchasing agencies; and

Whereas, the purchase will be supported by the Sewer Improvement Fund and Water Works Improvement Fund and there is sufficient appropriation in order to support the purchase; and

Whereas, the Board of Sanitary Commissioners, and the Highland Waterworks Board of Directors now desire to approve and authorize the Public Works Director to complete the purchase pursuant to the terms stated herein.

Now, Therefore Be it Hereby

Resolved by the Board of Waterworks Directors of the Town of Highland, Lake County, Indiana; and

Resolved by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana;

Section 1. That the Bid of Rush Truck Center was found to be inadequate due to not meeting the specifications, that the bid of Trans Chicago Group of Gary in the amount of One Hundred Fifty-Eight Thousand Seven Hundred Thirty-Seven Dollars and no cents (\$158,737.00) for the purchase of ONE (1) 2018 RETAIL FREIGHTLINER M2 106 WITH A SPECIAL SERVICE BODY, LESS THE TRADE-IN OF ONE (1) 2007 CHEVROLET EXPRESS BOX TRUCK IN THE AMOUNT OF FOUR THOUSAND DOLLARS AND NO CENTS (\$4,000.00), FOR HE NET AMOUNT OF ONE HUNDRED FIFTY-EIGHT THOUSAND SEVEN HUNDRED THIRTY-SEVEN DOLLARS (\$158.737.00) is hereby accepted as the lowest responsive and responsible Quote;

Section 2. That the purchase shall be funded 25% (\$39,684.25) by the Highland Sanitary Board of Commissioners through the ~~Sanitary District Operating Fund~~ Sewer Improvement Fund and 75% (\$119,052.75) by the Highland Water Works Board of Directors through the Water Works Improvement Fund;

Section 3. That, upon the approval of the Highland Sanitary Board of Commissioners and the Highland Water Works Board of Directors, the Public Works Director is hereby authorized to issue a purchase order to Christenson Chevy, Inc. of Hammond and to execute all documents necessary to implement the purchase thereof;

Duly Adopted and Resolved by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 17th day of October 2017. Having been passed by a vote of 4 in favor and 0 opposed.

BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

DULY ADOPTED AND RESOLVED +by the Board of Waterworks Directors of Highland, Lake County, Indiana, this 28th day of September 2017. Having been passed by a vote of 3 in favor and 0 opposed.

THE WATERWORKS DISTRICT OF HIGHLAND
BY ITS BOARD OF DIRECTORS:

/s/George A. Smith, President

Attest:

/s/George Georgeff, Secretary

3. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-40*

A RESOLUTION ACCEPTING THE QUOTE OF GLUTH BROTHERS ROOFING COMPANY, INC. OF HAMMOND FOR THE ROOF REPLACEMENT AT LINCOLN STREET PUMP STATION IN THE AMOUNT OF \$15,528.00, AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Commissioner Burton motioned to approve Resolution 2017-40. Commissioner Jones seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The resolution passed.

**Sanitary District of Highland
Board of Directors
Resolution No. 2017-40**

A RESOLUTION ACCEPTING THE QUOTE OF GLUTH BROTHERS ROOFING COMPANY, INC. OF HAMMOND FOR THE ROOF REPLACEMENT AT LINCOLN STREET PUMP STATION IN THE AMOUNT OF \$15,528.00, AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Whereas, The Sanitary District of Highland has determined the need to replace the roof on the Lincoln Street Pump Station; and

Whereas, the Public Works Director, pursuant to §3.05.050(D)(1)(6)(7) of the HMC, serves as the Purchasing Agent for the Highland Sanitary District; and

Whereas, the Purchasing Agent expected that the purchase would be less than \$50,000 and, pursuant to §3.05.060(G) of the HMC, may invite quotes from at least three (3) persons (vendors) known to deal in the lines or classes of supplies to be purchased or purchase the equipment in the open market without inviting or receiving quotes; and

Whereas, the Purchasing agent invited quotes, pursuant to §3.05.060(G) of the HMC, to be received at 4:00 p.m. on September 29, 2017, from three (3) persons (vendors) known to deal in the lines or classes of supplies to be purchased and the following quotes were received:

Dealer	BID AMOUNT
Gluth Brothers Roofing Company, INC.	\$18,135.00
Korellis Roofing, INC.	\$20,838.00
Great Lakes Roofing	NO BID

;and

Whereas, the Board of Sanitary Commissioners, pursuant to §31.17(D) of the HMC serves as purchasing agency for the Highland Sanitary District; and

Whereas, the purchase price exceeds \$15,000.00 and, pursuant to §31.18(C) of the HMC requires the express approval of the purchasing agencies; and

Whereas, the purchase will be supported by the Sanitary District Capital Fund and there is sufficient budget authority in order to support the purchase; and

Whereas, the Board of Water Works Directors now desire to approve and authorize the Public Works Director to complete the purchase pursuant to the terms stated herein.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

Section 1. That the quote of Gluth Brothers Roofing, Inc. in the net amount of Eighteen Thousand One Hundred Thirty-Five Dollars and 00/100 Cents (\$18,135.), for the roof replacement at Lincoln Street Pump Station is hereby accepted as the lowest responsive and responsible quote;

Section 2. That the Public Works Director is hereby authorized to issue a purchase order to Gluth Brothers Roofing, INC, and to execute all documents necessary to implement the purchase thereof.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 17th day of October 2017. Having been passed by a vote of 4 in favor and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Rich Garcia, President

Attest:

/s/David Jones, Secretary

4. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-41*

A RESOLUTION AMENDING THE 2016 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID FROM ITS SEWAGE WORKS IMPROVEMENT FUND

Commissioner Cieslak motioned to approve Resolution 2017-41. Commissioner Jones seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

5. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-42*

A RESOLUTION FINDING AND DETERMINING CERTAIN ITEMS OF PERSONAL PROPERTY OF THE SANITARY DISTRICT, AS NO LONGER NEEDED FOR THE PURPOSES FOR WHICH ORIGINALLY ACQUIRED, WITH A TOTAL VALUE LESS THAN \$5,000, AND FURTHER AUTHORIZING AND APPROVING DISPOSAL OR TRANSFER OF SAID PROPERTY THROUGH PRIVATE SALE, ALL PURSUANT TO IC 5-22-22 ET SEQ.

Commissioner Jones motioned to approve Resolution 2017-42. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

SANITARY DISTRICT OF HIGHLAND
BOARD of SANITARY COMMISSIONERS
RESOLUTION NO. 2017-42

A RESOLUTION FINDING AND DETERMINING CERTAIN ITEMS OF PERSONAL PROPERTY OF THE SANITARY DISTRICT, AS NO LONGER NEEDED FOR THE PURPOSES FOR WHICH ORIGINALLY ACQUIRED, WITH A TOTAL VALUE LESS THAN \$5,000, AND FURTHER AUTHORIZING AND APPROVING DISPOSAL OR TRANSFER OF SAID PROPERTY THROUGH PRIVATE SALE, ALL PURSUANT TO IC 5-22-22 ET SEQ.

WHEREAS, The Sanitary District of Highland (District) is governed by its Board of Sanitary Commissioners (Commissioners), pursuant to the provisions of IC 36-9-2-25 et seq.; and

WHEREAS, the Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Public Sanitation Department; and

WHEREAS, The Commissioners have been advised by the Sanitary District Superintendent that certain items of personal property owned by the Sanitary District, are no longer needed for the purposes for which they were originally acquired, pursuant to IC 5-22-22; and

WHEREAS, Those items include the following:

1. One (1) 1992 American Roads Leaf Vacuum (S/N:W912524933686)
2. One (1) 1992 American Roads Leaf Vacuum (S/N:W912724933381)
3. One (1) 1992 American Roads Leaf Vacuum (S/N:W912624933632)

WHEREAS, The Sanitary District Superintendent has determined that the value of all items is less than \$5,000 based upon the prevailing price of scrap metal (\$120/ton) and recommended that disposal of the personal property be authorized, all pursuant to the provisions of IC 5-22-22 et seq.;

WHEREAS, The Sanitary District Superintendent has further recommended that disposal of the personal property by private sale to a local scrap dealer, all pursuant to the provisions of IC 5-22-22-6; and

WHEREAS The Board of Sanitary Commissioners now desires to favor the recommendation and take those steps necessary to authorize and approve a disposal of personal property of the municipality pursuant to the applicable law,

NOW, THEREFORE, BE IT RESOLVED by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana:

Section 1. That the 1992 American Roads Leaf Vacuum (S/N:W912524933686), 1992 American Roads Leaf Vacuum (S/N:W912724933381), and 1992 American Roads Leaf Vacuum (S/N:W912624933632), owned by the Sanitary District of Highland, are no longer needed and unfit for the purposes for which they were acquired, pursuant to IC 5-22-22-3;

Section 2. That the total value of the items of personal property to be disposed is estimated to be less than \$5,000 and has determined to dispose of the asset through a private sale, without advertising, all pursuant to IC 5-22-22-6;

Section 3. That the Sanitary District Superintendent is hereby authorized and instructed to cause a lawful disposal of the items of personal property identified in this Resolution by private sale, to a scrap dealer, at the prevailing market value;

Section 4. That any and all proceeds yielded from the lawful disposal or transfer authorized by this resolution shall be deposited with the Office of the Clerk-Treasurer, where such proceeds shall be deposited to the credit of the Sanitary District

Capital or other proper fund as determined by the Clerk-Treasurer.

Duly Adopted and Resolved by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 17th day of October 2017. Having been passed by a vote of 4 in favor and 0 opposed.

The Sanitary District of Highland
By its Board of Commissioners

/s/Richard Garcia, President

Attest:

/s/Dave Jones, Secretary

6. Action to Ratify and Approve the reimbursement of cancellation expenses incurred by Sanitary District Superintendent in the amount of \$186.03 for one nights lodging at the Indianapolis Downtown Marriott Hotel, IWEA Conference on August 23, 2017, due an unexpected Town personnel matter that required his local presence and involvement. Commissioner Jones made a motion to approve and Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

7. Action to Approve Pay Request No. 2 to Grimmer Construction, Inc. for the Johnston Street Sanitary Sewer Project in the amount of \$420,551.00. Commissioner Burton made a motion to approve and Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

New Business:

1. Sanitary sewer repair and alley improvement project at 2624 Condit Street. The project facilitates the disconnection of the two storm water inlets from the sanitary sewer system and repair of a section of the sanitary sewer that was broken by an underground pipe. The lowest bidder was Hasse Construction in the amount of \$40,750.00. Commissioner Burton made a motion to approve and Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

Reports: None

Comments from the Commissioners: None

Business from the Floor:

1. Mark Herak expressed his concern about the speed of the Martha Street paving and upgrades. He also questioned what type of pipe was wrapped going over the ditch by Grace Street. John Bach answered it was a NIPSCO pipe. Finally, he questioned the speed that water receded during heavy rainfall in his neighborhood. John Bach assured him it would be looked into.

Claims:

Fund 040	Sanitary Operating	\$200,588.62
Fund 044	San Dist Capital	\$976,654.19
Fund 070	Sewage Operating	\$243,464.01
	TOTAL	\$1,420,706.82

Commissioner Burton made a motion to approve payment of the claims in the amount of \$1,420,706.82. Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Public Meeting Session will be held, Tuesday, November 21, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Jones moved to adjourn. Commissioner Cieslak seconded. The motion passed. Meeting adjourned at 7:27 p.m. The Board convened in an Executive meeting following the public meeting.

Following the Executive Session, Commissioner Garcia resumed the study session.

1. Derek Snyder of Nies Engineering reviewed expense tracking of the Martha and Johnston Street projects. There was also an update of current projects.
2. John Bach stated an evaluation of cost by Burke Engineering would be reviewed at the next meeting.
3. The financials were provided at the meeting. Commissioner Cieslak expressed great concern over the financials due to the interim rate. The Sanitary Board will have difficulty continuing at the current rate.

The study session was adjourned at 8:00 p.m.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY, November 30, 2017**

Due to a lack of quorum at the November 21, 2017 public meeting, the meeting was reschedule to November 30, 2017.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, November 30, 2017, 5:30 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia. Also present were Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney, John Bach of Public Works and Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: The October 17, 2017 Regular Public meeting minutes are posted as

written.

Special Orders: None

Communications:

1. A letter dated November 7, 2017 from Thomas Gordon of Christopher B. Burke Engineering regarding an extra time request for the Martha Street Storm Sewer Improvement Project with a new final completion date of December 19, 2017 for the pump station area.
2. A letter dated November 7, 2017 from Thomas Gordon of Christopher B. Burke Engineering regarding justification for items resulting in change orders for the Martha Street Storm Sewer Improvement Project with a total cost increase of \$21,810.51.
3. A letter dated November 9, 2017 from Robinson Engineering regarding a change order in regards to the Johnston Street project. The change order is for \$54,129.65 for a new contract amount of \$624,966.65.
4. A letter dated November 20, 2017 from Jeff Julkowski of Christopher B. Burke Engineering regarding the Martha Street project. Requesting a contract amendment in the amount of \$9,250.00

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-43*

A RESOLUTION AUTHORIZING AND APPROVING A CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH GRIMMER CONSTRUCTION, INCORPORATED FOR THE MARTHA STREET STORM SEWER IMPROVEMENTS AND PUMP STATION PROJECT

**SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-43**

A RESOLUTION AUTHORIZING AND APPROVING A CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH GRIMMER CONSTRUCTION, INCORPORATED FOR THE MARTHA STREET STORM SEWER IMPROVEMENTS AND PUMP STATION PROJECT

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, had heretofore determined to make drainage improvements along the 3100-3400 blocks of Martha to Street to alleviate street flooding along Martha Street and implemented the Martha Street Storm Sewer Improvements and Pump Station Project; and

Whereas, Christopher B. Burke Engineering, LTD (CBBEL) had prepared plans and specifications for the Project on behalf of the Sanitary District and the Project was bid in accordance with IC 36-1-12 *et seq.* and notice was published in accordance with IC 5-3-1; and

Whereas, The District has heretofore awarded a contract to Grimmer Construction, Incorporated (Grimmer) for the Project on May 2, 2014 in the amount of One Million Three Hundred Twenty-three Thousand Six Hundred Fifty-eight Dollars and 20/100 Cents (\$1,323,658.20); and

Whereas, during the course of construction of the Project, it has become necessary to change or alter the original specifications of the project; and

Whereas, CBBEL, a licensed engineer performing construction engineering services on the Project, has specifically identified and presented a Change Order, attached herewith, which details the changes and alterations to the Project which have a net increase in the contract amount of Twenty-one Thousand Eight Hundred Ten and 51/100 cents (\$21,810.51); and

Whereas, CBBEL has received a request from Grimmer and recommends the approval of a thirty (30) day extension to the construction contract for items associated with the substantial completion of the pump station only, citing changes in scope of work relating to the pump station plans and lead time on deliverable items; and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to approve and authorize the Change Order as described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That Change Order No. 1 to Grimmer Construction, Incorporated for the Martha Street Storm Sewer Improvements and Pump Station Project, as prepared by Christopher B. Burke Engineering, LTD, a licensed professional engineer performing construction engineering services on the Project, is hereby approved and authorized in each and every respect;

Section 2. That Change Order No. 1 increases the original contract amount by Twenty-one Thousand Eight Hundred Ten and 51/100 cents (\$21,810.51) bringing the total value of the agreement to One Million Three Hundred Forty-five Thousand Four Hundred Sixty-eight Dollars and 71/100 Cents (\$1,345,468.71);

Section 3. That the Change Order No. 1 extends the date for substantial completion, on the construction of the pump station ONLY by 30 days, making the final completion date December 19, 2017;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Change Order with his signature;

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 21st day of November, 2017. Having been passed by a vote of 3 in favor and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard J. Garcia, President

Attest:

/s/David Jones, Secretary

Commissioner Burton motioned to approve Resolution 2017-43. Commissioner Cieslak seconded. Upon a roll-call vote, there were three (3) affirmatives and no (0) negatives. The motion passed.

New Business:

Commissioner Burton questioned the status of the Robinson Engineering project. The project is under budget.

Reports: None

Comments from the Commissioners: None

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$210,149.35
Fund 041	San Dist BD & INT	\$ 800.00
Fund 044	San Dist Capital	\$210,836.35
Fund 070	Sewage Operating	226,089.38
	<u>Total</u>	<u>\$647,875.08</u>

Commissioner Cieslak made a motion to approve payment of the claims in the amount of \$647,875.08. Commissioner Burton seconded. Upon a roll-call vote, there were three (3) affirmative and no (0) negatives. The motion passed.

Revised by action of the Sanitary Board of Commissioner meeting at its December 19, 2017 meeting

Fund 040	Sanitary Operating	\$215,439.29
Fund 041	San Dist BD & INT	\$800.00
Fund 044	San Dist Capital	\$268,175.00
Fund 070	Sewage Operating	\$244,879.82
	<u>Total</u>	<u>\$761,303.89</u>

Next Meeting: The next regularly scheduled Public Meeting Session will be held, Tuesday, December 19, 2017 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Cieslak moved to adjourn. Commissioner Burton seconded. The motion passed. The meeting adjourned at 6:00 p.m.

Respectfully Submitted,

Laura Pramuk, Recording Secretary

**MINUTES OF A REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY, December 19, 2017**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, December 19, 2017, with Commissioner Garcia presiding, in the main meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton,

Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen from Public Works, Michael Griffin, Clerk-Treasurer and Mark Herak, Town Council.

1. The Hammond Sanitary District rejected the Commonwealth proposal presented by the Town of Highland.
2. There was discussion regarding the SEP Project the Town of Highland would present to EPA and DOJ.
3. Michael Griffin and Robert Tweedle reviewed for Commissioner Garcia the regulations of a public meeting and notifications of the same, executive session criteria were also reviewed.
4. Derek Snyder stated he would add the Martha Street project and the Burke change order to expense tracking.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, December 19, 2017, 7:00 p.m., in the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Present on roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia and David Jones. Also present were Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works, Michael Griffin, Clerk-Treasurer, and Mark Herak, Town Council.

The minutes were recorded by Laura Pramuk, Recording Secretary.

Minutes of Previous Session: The November 30, 2017 Regular Public meeting minutes are posted as written.

Special Orders: None

Communications:

1. A letter dated December 13, 2017 from Derek Snyder of Nies Engineering regarding general engineering services for 2018 for a fee of \$320 per month, billed quarterly.
2. A letter dated November 29, 2017 from Robert Tweedle regarding 2018 legal services of a rate of \$440 monthly and additional usual and customary services at \$147 per hour.

General Orders and Unfinished Business:

1. *SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2017-44*

A RESOLUTION AMENDING THE 2016 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID FROM ITS SEWAGE WORKS IMPROVEMENT FUND

BOARD OF SANITARY COMMISSIONERS
CAPITAL BUDGET RESOLUTION NO. 2017-44

A RESOLUTION AMENDING THE 2016 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID
FROM ITS SEWAGE WORKS IMPROVEMENT FUND

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Board of Sanitary Commissioners in performing its duties, now determines that passage and adoption of a Capital Budget Resolution amending a Capital Budget to be paid from funds of the Sanitary District to be necessary for the sound management and control of the sewage works and performing its duty to construct, reconstruct, operate, repair, and maintain all sewage works.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That for the Capital expenses as hereinafter identified of said District, the following allowances for the identified sums of money are hereby fixed and ordered set apart for the purposes herein specified to be paid from Sanitary District Sewage Works Improvement Fund:

Ridge Road Catch Basin Lining Project	\$102,868.00
Total Allowances as fixed for this Fund	\$102,868.00

Section 2. That the Municipal Fiscal Officer is instructed and authorized to assign such accounts and establish such financial reporting methodology as to permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 3. That the Superintendent of the Sanitary District is instructed and authorized to prepare accounts payable for projects identified herein in such a manner as to support and permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 4. That there shall be no capital expenditure for the identified projects in excess of the amounts fixed by this resolution without express action by the Board of Sanitary Commissioners, revising the amount fixed and authorizing the additional allowance amount;

Section 5. That any prior Capital Budget duly adopted by resolution and as amended from time to time is hereby repealed and replaced to include the Capital expenses identified herein.

Section 6. That this Resolution shall be effective immediately upon its passage and adoption by the Board of Sanitary Commissioners and may be amended or repealed by subsequent resolution duly passed and adopted.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 19th day of December, 2017. Having been passed by a vote of 4 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary of the Board of Sanitary Commissioners

Commissioner Burton motioned to approve Resolution 2017-44. Commissioner Jones seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

2. Resolution 2017-45 was removed from the agenda for further clarification per John Bach.
3. *SANITARY DISTRICT of HIGHLAND*
Board of Sanitary Commissioners
Resolution No. 2017-46

A RESOLUTION ACCEPTING AND APPROVING AN ADDENDUM TO THE AGREEMENT BETWEEN CHRISTOPHER B. BURKE ENGINEERING, LTD AND THE SANITARY DISTRICT OF HIGHLAND TO PERFORM PROFESSIONAL ENGINEERING SERVICES DURING CONSTRUCTION IN SUPPORT OF THE MARTHA STREET STORM SEWER IMPROVEMENT PROJECT

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2017-46

A Resolution Accepting and Approving an Addendum to the Agreement between Christopher B. Burke Engineering, LTD and the Sanitary District of Highland to perform Professional Engineering Services during Construction in support of the Martha Street Storm Sewer Improvement Project

Whereas, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has heretofore determined that a need to make certain improvements to the storm sewer system along the 3200-34 blocks of Martha Street has implemented the Martha Street Storm Sewer and Pumping Station Project (Project), and

Whereas, The District had engaged Christopher B. Burke, Engineering, LTD (CBBEL) on May 2, 2017, to provide professional engineering services during Construction for Project for not to exceed fee of One Hundred Twenty-three Thousand Five Hundred Fifty Dollars (\$123,550.00); and

Whereas, CBBEL has performed services that were not anticipated or included in the original scope of project and additional costs have been incurred due the extension of work associated with the pump station completion as approved by the District; and

Whereas, CBBEL has presented a request for an addendum to the original contract, attached hereto and made a part of this Resolution, that discuss the basis for the increase in the amount of Nine Thousand Two Hundred Fifty Dollars and 00/100 Cents (\$9,250.00); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the addendum to the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Addendum to the Professional Engineering during Construction Agreement (incorporated by reference and made a part of this resolution) between Christopher B. Burke Engineering, LTD and the Sanitary District of Highland for the **Martha Street Storm Sewer Improvements** for a not-to-exceed amount of Nine Thousand Two Hundred Fifty Dollars and no cents (\$9,250.00) is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the addendum to the agreement for professional engineering services are found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that Christopher B. Burke Engineering, LTD has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 19th day of December 2017. Having been passed by a vote of 4 for and 0 opposed.

The Sanitary District of Highland
BY ITS BOARD OF COMMISSIONERS:

/s/Richard Garcia, President

Attest:

/s/David Jones, Secretary

Commissioner Cieslak motioned to approve Resolution 2017-46. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

New Business:

1. The docket from the November 30th meeting inadvertently omitted the payable items in the amount of \$113,428.81. A motion was made by Commissioner Burton to accept the payable items in the amount of \$113,428.81 Commissioner Cieslak seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

Revised Docket

Fund 040	Sanitary Operating	\$215,439.29
Fund 041	San Dist BD & INT	\$800.00
Fund 044	San Dist Capital	\$268,175.00
<u>Fund 070</u>	<u>Sewage Operating</u>	<u>\$244,879.82</u>
	Total	\$761,303.89

Reports: None

Comments from the Commissioners:

1. Commissioner Garcia brought a Times newspaper article to the attention of the Board reporting that the Town of Munster were in a dispute with the Hammond Sanitary District regarding dumping at Munster Public Works.

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$152,898.96
Fund 044	San Dist Capital	\$272,010.26
Fund 070	Sewage Operating	\$301,182.01
Fund 072	Sewage Improv	\$41,598.75
	TOTAL	\$767,689.98

Commissioner Cieslak made a motion to approve payment of the claims in the amount of \$767,689.98. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next regularly scheduled Public Meeting Session will be held, Tuesday, January 16, 2018 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitary Commissioners, Commissioner Cieslak moved to adjourn. Commissioner Burton seconded. The motion passed. The meeting adjourned at 7:15 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately after the Public Meeting on Tuesday, December 19, 2017, in the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Present at the study session on silent roll call were Commissioners Greg Cieslak, Rex Burton, Richard Garcia, David Jones. Also present were Derek Snyder of NIES Engineering, Inc. Robert Tweedle, Attorney, John Bach and Bob Johnsen of Public Works, Michael Griffin, Clerk-Treasurer and Mark Herak, Town Council.

Staff Reports:

1. Michael Griffin reviewed the financials with the Board.
2. The impact of the current rate from the Hammond Sanitary District was discussed and the necessity of the Cost of Service study.
3. The Commissioner expressed their concern that the process has not begun for the Cost of Service study.

Next Meeting: The next scheduled study session will be on January 2, 2018. The next regularly scheduled Regular Public Meeting Session will be held Tuesday, January 16, 2018 7:00 p.m., following a study session at 6:30 p.m.

The meeting adjourned at 8:07 p.m.

Respectfully Submitted

Laura Pramuk, Recording Secretary